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September 11, 2007

HAND DELIVERED

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COMMISSION
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Ms. Ann Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Petition to determine need for Polk Unit 6 electrical power plant by Tampa Electric Company; FPSC Docket No. 070467-EI

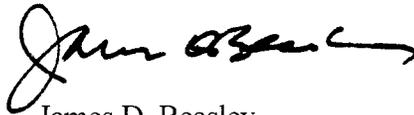
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and seven (7) copies of Tampa Electric Company's Objections to SACE's Interrogatories Nos. 24-68 and Exercise of Tampa Electric's Option to Produce Records.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

CMP _____

COM _____

CTR _____

ECR _____

JDB/pp

Enclosure

GCL 3 _____

cc: All Parties of Record (w/enc.)

OPC _____

RCA _____

SCR _____

SGA _____

SEC _____

OTH _____

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need)
for Polk Unit 6 electrical power plant)
by Tampa Electric Company.)
_____)

DOCKET NO. 070467-EI

FILED: September 11, 2007

**TAMPA ELECTRIC COMPANY'S OBJECTIONS TO SACE'S
INTERROGATORIES NOS. 24-68 AND EXERCISE OF
TAMPA ELECTRIC'S OPTION TO PRODUCE RECORDS**

Tampa Electric Company ("Tampa Electric" or "the company") files these its specific objections to the Southern Alliance for Clean Energy ("SACE") Interrogatories Nos. 24-68 and, alternatively, exercises Tampa Electric's option to produce records under Rule 1.340(c), *Florida Rules of Civil Procedure*, and as grounds therefore, says:

1. In each of Interrogatories Nos. 24-68, SACE firsts asks Tampa Electric to produce certain data and, secondly, to apply a mathematical calculation or calculations to that data. For example, in Interrogatory No. 24, SACE asks Tampa Electric to produce, with respect to the company's proposed residential efficient heat pump DSM program, the company's projections of annual GWH energy savings, winter peak MW demand savings and summer peak MW demand savings for each year from 2008 through 2014. SACE then asks Tampa Electric to multiply each of these 42 figures by 1.9 and report the results.

2. Tampa Electric has already produced and furnished to SACE on two separate occasions all of the underlying data SACE requests in Interrogatories Nos. 24-68. The underlying data is contained in a file set forth as an attachment to information Tampa Electric informally provided SACE as well as in a file contained in Tampa Electric's responses to SACE's first round of formal discovery.

3. Tampa Electric does not concede the validity of the assumptions underlying the mathematical calculations SACE has asked Tampa Electric to perform nor the relevance of the results of those calculations to any issue in this proceeding. Having made that disclaimer, SACE is as capable as Tampa Electric of performing the purely mathematical calculations SACE asks Tampa Electric to apply to the underlying data the company has already provided to SACE. Tampa Electric objects to providing the same information yet a third time to SACE and also asserts that it would be an unreasonable burden to require Tampa Electric to perform purely mathematical calculations to the underlying data that has already been supplied.

4. Rule 1.340(c), *Florida Rules of Civil Procedure*, affords Tampa Electric an option to produce records under these circumstances as follows:

(c) Option to Produce Records. When the answer to an interrogatory may be derived or ascertained from the records of the party to whom the interrogatory is directed or from an examination, audit, or inspection of the records or from a compilation, abstract, or summary based on the records and the burden of deriving or ascertaining the answer is substantially the same for the party serving the interrogatory as for the party to whom it is directed, an answer to the interrogatory specifying the records from which the answer may be derived or ascertained and offering to give the party serving the interrogatory a reasonable opportunity to examine, audit, or inspect the records and to make copies, compilations, abstracts, or summaries is a sufficient answer. An answer shall be in sufficient detail to permit the interrogating party to locate and to identify as readily as can the party interrogated, the records from which the answer may be derived or ascertained, or shall identify a person or persons representing the interrogating party who will be available to assist the interrogating party in locating and identifying the records at the time they are produced. (emphasis supplied)

5. Tampa Electric hereby exercises its option to produce (and, in fact, already has produced on two prior occasions) the underlying data SACE claims it needs in order to perform the purely mathematical calculations SACE claims it needs.

6. Clearly, the burden of deriving or ascertaining the answer to the mathematical calculations is substantially the same for the party serving Interrogatories Nos. 24-68 (SACE) as for the party to whom it directed (Tampa Electric). For example in Interrogatory No. 24, the product of 1.9 times the numbers Tampa Electric has already provided to SACE is going to be the same result regardless of who performs the calculation.

WHEREFORE, Tampa Electric submits the foregoing as its objections to SACE's Interrogatories Nos. 24-68 and, alternatively, hereby exercises its option under Rule 1.340(c), *Florida Rules of Civil Procedure*, to produce (and, in fact, has produced) records containing the data SACE claims it needs in order to perform the mathematical calculations described in said interrogatories.

DATED this 11th day of September 2007.

Respectfully submitted,



LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Objections to Interrogatories Nos. 24-68 and Exercise of Tampa Electric's Option to Produce Record, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 11th day of September 2007 to the following:

Ms. Jennifer S. Brubaker*
Staff Counsel
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

George Cavros, Esq.
120 E. Oakland Park Blvd., Ste. 105
Fort Lauderdale, FL 33334



ATTORNEY