

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase
by Tampa Electric Company.

DOCKET NO. 080317-EI

FILED: December 29, 2008

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
OBJECTIONS TO STAFF'S
FIRST SET OF INTERROGATORIES (NOS. 1-3)**

The Florida Industrial Power Users Group (FIPUG) submits the following
Objections to Commission Staff's (Staff) First Set of Interrogatories (Nos. 1-3).¹

I. General Objections.

FIPUG asserts the following general objections to Staff's First Set of
Interrogatories (Nos. 1-3):

1. FIPUG objects to each and every individual discovery request, to the
extent it calls for information protected by the attorney-client privilege, the work product
doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable
privilege or protection afforded by law, whether such privilege or protection appears at the
time response is first made or is later determined to be applicable for any reason. FIPUG
in no way intends to waive any such privilege or protection.

2. FIPUG objects to each individual request to the extent it requires
production of information that is proprietary, confidential business information without
provisions in place to protect the confidentiality of the information. FIPUG in no way
intends to waive claims of confidentiality.

¹ Staff's interrogatories were addressed to FIPUG and The Mosaic Company, but Mosaic has withdrawn its
petition to intervene.

3. FIPUG objects to any definitions or instructions accompanying the discovery requests to the extent that they are inconsistent with and expand the scope of discovery specified in the Florida Rules of Civil Procedure that are incorporated into the Model Rules of Procedure or the Commission's rules on discovery. If some question arises as to FIPUG's discovery obligations, FIPUG will comply with applicable rules and not with any of the definitions or instructions accompanying the discovery requests that are inconsistent with or exceed the requirements of those rules. Furthermore, FIPUG objects to any discovery request that calls for FIPUG to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

4. FIPUG objects to any definition or instruction in any discovery request that seeks interrogatory answers containing information from persons or entities who are not parties to this proceeding or that are not subject to discovery under applicable rules.

5. It is possible that not every relevant document may have been reviewed or considered in developing FIPUG's responses to the discovery requests. Rather, FIPUG will provide all the information that FIPUG obtained after a good faith, reasonable and diligent search conducted in connection with these discovery requests. To the extent that the discovery requests propose to require more, FIPUG objects to the requests individually and collectively on the grounds that compliance would impose an undue burden or expense on FIPUG.

6. FIPUG objects to each discovery request to the extent that it seeks information that is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence.

7. FIPUG objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, burdensome, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests.

8. FIPUG expressly reserves and does not waive any objections it may have to the admissibility, authenticity or relevancy of the information provided in its responses to the subject discovery requests.

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing FIPUG Objections to Staff's First Set of Interrogatories (Nos. 1-3) has been furnished by electronic mail and U.S. Mail this 29th day of December, 2008 to the following:

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