

Ruth Nettles

From: Durbak, Jane [Jane.Durbak@pgnmail.com]
Sent: Tuesday, July 07, 2009 8:15 AM
To: Filings@psc.state.fl.us
Cc: jeremy.susac@myflorida.com; suzannebrownless@comcast.net; Katherine Fleming; sclark@radeylaw.com; Ljacobs50@comcast.net; vkaufman@kagmlaw.com; jmcwhirter@mac-law.com; george@cavros-law.com; Burnett, John; Lewis Jr, Paul
Subject: Docket: 080408-EG- PEFs Objections to Florida Solar Coalition's 2nd Set of Interrogatories (Nos. 8-12)
Attachments: PEF's Objections to FSC 2nd set of Interrogatories (Nos. 8-12).pdf

This electronic filing is made by:

John Burnett
P.O. Box 14042
St. Petersburg, FL 33733
727-820-5184
John.Burnett@pgnmail.com

Docket: 080408-EG

In re: Commission Review of numeric conservation goals (Progress Energy Florida, Inc.)

On behalf of Progress Energy Florida

Consisting of 3 pages

The attached document for filing is PEF's Objections to Florida Solar Coalition's 2nd Set of Interrogatories (Nos. 8-12)

7/7/2009

DOCUMENT NUMBER-DATE

06798 JUL-7 8

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric
conservation goals (Progress Energy Florida,
Inc.).

Docket No. 080408-EG

Submitted for Filing: July 7, 2009

**PEF'S OBJECTIONS TO FLORIDA SOLAR COALITION'S SECOND
SET OF INTERROGATORIES (Nos. 8-12)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to The Florida Solar Coalition's ("FSC") Second Set of Interrogatories (Nos. 8-12) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" in FSC's Second Set of Interrogatories, PEF objects to any definitions or instructions that are inconsistent with PEF's discovery obligations under applicable rules. If some question arises as to PEF's discovery obligations, PEF will comply with applicable rules and not with any of FSC's definitions or instructions that are inconsistent with those rules. Furthermore, PEF objects to any interrogatory that calls for PEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

PEF objects to any definition or interrogatory that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

PEF also objects to any Interrogatory or Request for Production that purports to require PEF or its experts to prepare studies, analyses, or to do work for FSC that has not

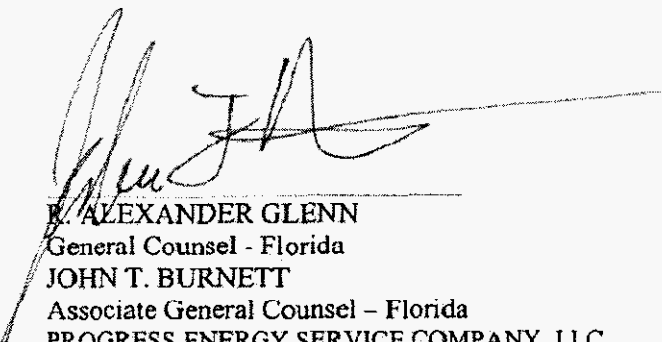
been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to FSC's second interrogatories to the extent that they call for data or 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.

PEF also objects to any attempt by FSC to evade the numerical limitations set on interrogatories in the Order Establishing Procedure by asking multiple independent questions within single individual questions and subparts.

Finally, PEF reserves the right to supplement any of its responses to FSC's second interrogatories if PEF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive information in the course of this proceeding.

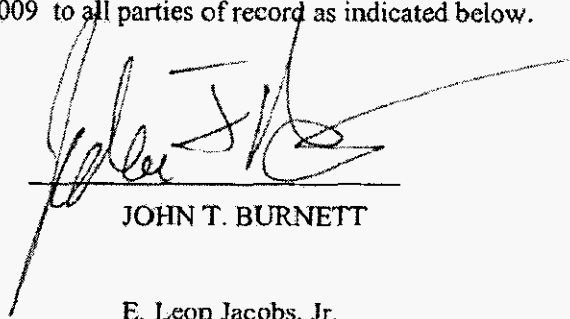
By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to FSC's discovery at the time PEF's response is due.



E. ALEXANDER GLENN
General Counsel - Florida
JOHN T. BURNETT
Associate General Counsel - Florida
PROGRESS ENERGY SERVICE COMPANY, LLC
299 First Avenue North
St. Petersburg, FL 33701
Telephone: (727) 820-5184
Facsimile: (727) 820-5519

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic and U.S. Mail this 7th day of July, 2009 to all parties of record as indicated below.



JOHN T. BURNETT

Erik Saylor, Esquire
Katherine Fleming, Esquire
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

E. Leon Jacobs, Jr.
Williams & Jacobs, LLC
1720 S. Gadsden St., MS 14
Suite 201
Tallahassee, FL 32301

Susan Clark
Radey Law Firm
301 South Bronough Street, Suite 200
Tallahassee, FL 32301

Ms. Suzanne Brownless
Suzanne Brownless, P.A.
1975 Buford Blvd.
Tallahassee, FL 32308

Jeremy Susac
Florida Energy & Climate Commission
c/o Governor's Energy Office
600 South Calhoun St., Suite 251
Tallahassee, FL 32399

George S. Cavros, Esq., P.A.
120 E Oakland Park Blvd., Suite 10
Ft. Lauderdale, FL 33334

John W. McWhirter, Jr.
P.O. Box 3350
Tampa, FL 33601-3350

Vicki Gordon Kaufman
Jon C. Moyle, Jr.
Keefe Anchors Gordon & Moyle, PA
118 North Gadsden Street
Tallahassee, FL 32301