

Eric Fryson

From: White, Karen S Civ USAF AFLOA JACL/ULT [Karen.White@tyndall.af.mil]
Sent: Thursday, July 12, 2012 5:20 PM
To: Filings@psc.state.fl.us
Cc: Rhonda Dulgar; Keino Young; John.Butler@fpl.com; kwiseman@andrewskurth.com; wrappolt@andrewskurth.com; lpurdy@andrewskurth.com; kelly.jr@leg.state.fl.us; mcglothlin.joseph@leg.state.fl.us; Rehwinkel.charles@leg.state.fl.us; Christensen.Patty@leg.state.fl.us; Noriega.tarik@leg.state.fl.us; Merchant.Tricia@leg.state.fl.us; Schef Wright; jwhendricks@sti2.com; saporito3@gmail.com; danlarson@bellsouth.net; bgarner@ngnlaw.com; barmstrong@ngnlaw.com; Paul.woods@algenol.com; Quang.ha@algenol.com; pat.ahlm@algenol.com; seahorseshores1@gmail.com; Vicki Kaufman; Jon Moyle; Meyer, Greg; Gorman, Mike; Wilhelms, Sally; Miller, Samuel T Capt USAF AFLOA JACL/ULFSC; Eric Fryson
Subject: RE: Electronic Filing - Docket No. 120015-EI
Attachments: objection to FPL 1st interrogatories.pdf



objection to
FPL 1st interroga.

Please accept my apologies, I thought I had corrected the error from yesterday. Attached please find the corrected filing identified below:

- a. Person responsible for this electronic filing:
Karen S. White
USAF Utility Law Field Support Center
139 Barnes Drive
Tyndall AFB FL 32403
850-283-6348
Karen.white@tyndall.af.mil

- b. 120015-EI

In Re: Petition for Increase in Rates by Florida Power & Light Company.

- c. Document being filed on behalf of the Federal Executive Agencies.

- d. There are a total of 5 pages.

- e. The document attached for electronic filing is the Federal Executive Agencies' Objections to Florida Power & Light Company's First Set of Interrogatories (No. 1 and No 3)

(see attached file: Objection to FPL 1st Interrogatories.pdf)

Thank you for your attention and assistance in this matter.

-----Original Message-----
From: Filings@psc.state.fl.us [mailto:Filings@psc.state.fl.us]
Sent: Thursday, July 12, 2012 4:02 PM
To: White, Karen S Civ USAF AFLOA JACL/ULT

DOCUMENT NUMBER-DATE
04648 JUL 13 09
FPSC-COMMISSION CLERK

Cc: Rhonda Dulgar; Keino Young; John.Butler@fpl.com;
kwiseman@andrewskurth.com; wrappolt@andrewskurth.com;
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Meyer, Greg; Gorman, Mike; Wilhelms, Sally; Miller, Samuel T Capt USAF AFLOA
JAACL/ULFSC; Eric Fryson
Subject: FW: Electronic Filing - Docket No. 120015-EI

Ms. White:

We are in receipt of your attached e-filing. As mentioned on 7/11/12, per the Commission's e-filing requirements, documents are to include an official signature. Your document will need to be revised and resubmitted to be considered filed.

Manner of Electronic Transmission:

* Documents shall be signed by typing "s/" followed by the signatory:

s/ First M. Last

* The acknowledgment indicates the document has been received, but does not confirm the document meets the requirements for electronic filing.

A link to the Commission's e-filing requirements is included for your convenience:

<http://www.floridapsc.com/dockets/e-filings/>

Please call our office if you have any questions.

Dorothy Menasco
Florida Public Service Commission
Office of Commission Clerk
850-413-6770

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

-----Original Message-----

From: White, Karen S Civ USAF AFLOA JAACL/ULT
[mailto:Karen.White@tyndall.af.mil]
Sent: Thursday, July 12, 2012 4:36 PM
To: White, Karen S Civ USAF AFLOA JAACL/ULT; Filings@psc.state.fl.us
Cc: Rhonda Dulgar; Keino Young; John.Butler@fpl.com;
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Meyer, Greg; Gorman, Mike; Wilhelms, Sally; Miller, Samuel T Capt USAF AFLOA
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Subject: Electronic Filing - Docket No. 120015-EI

a. Person responsible for this electronic filing:

Karen S. White
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b. 120015-EI

In Re: Petition for Increase in Rates by Florida Power & Light Company.

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(see attached file: Objection to FPL 1st Interrogatories.pdf)

Thank you for your attention and assistance in this matter.

KAREN S. WHITE
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida
Power & Light Company.

DOCKET NO. 120015-EI

FILED: July 12, 2012

**THE FEDERAL EXECUTIVE AGENCIES'
OBJECTIONS TO FLORIDA POWER AND LIGHT COMPANY'S
FIRST SET OF INTERROGATORIES (NO. 1 and NO. 3)**

Pursuant to Order No. PSC 12-0143-PCO-EI, the Federal Executive Agencies (FEA) submits the following Objections to Florida Power & Light Company's (FPL) First Set of Interrogatories (No 1 and No 3) .

I. General Objections

FEA asserts the following general objections to FPL's First Set of Interrogatories (No. 1 and No. 3). Each of FEA's objections will be subject to and qualified by these general objections:

1. FEA 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. FEA in no way intends to waive any such privilege or protection.

2. FEA 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. FEA in no way intends to waive claims of confidentiality.

3. FEA objects to an 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 Rule of Procedure or the Commission's rules on discovery. If some question arises as to FEA's discovery obligations, FEA 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, FEA objects to any discovery request that calls for FEA to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

4. FEA 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 FEA's responses to the discovery request. Rather FEA will provide all the information that FEA 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, FEA objects to the requests individually and collectively on the grounds that compliance would impose an undue burden or expense on FEA.

6. FEA 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 reasonable calculated to lead to the discovery of admissible evidence.

7. FEA 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. FEA 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.

9. FEA objects to each and every request to the extent it seeks information for periods back to 1999 or earlier. Such information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, research about and collection of such information would be unduly burdensome.

10. FEA objects to any request that requires the creation of new data, documents or studies.

11. FEA objects to providing information already in the public record, that is as easily accessible to FPL as to FEA or that is already in FPL's possession.

12. FEA objects to every discovery request to the extent the information sought constitutes "trade secrets" which are privileged pursuant to sections 90-506 and 366.093(3)(a), Florida Statutes.

II. Specific Objections

INTERROGATORIES

13. FEA specifically objects to Interrogatory No. 1 which requires the disclosure of the business relationship between FEA and FEA expert witnesses. Such information is irrelevant to the issues at hand in the case, and is not reasonably calculated to lead to the discovery of admissible evidence.

14. FEA specifically objects to Interrogatory No. 3 to the extent that the request calls for the identification of “each document” relied up by a witness. The request is overbroad as FEA’s witnesses have many years of experience in the field of utility analysis and it is impossible to identify “each” document the witness may have relied upon.

s/Karen S. White

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Attorney for Federal Executive Agencies

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and foregoing copy of THE FEDERAL EXECUTIVE AGENCIES' OBJECTIONS TO FLORIDA POWER AND LIGHT COMPANY'S FIRST SET OF INTERROGATORIES (NO. 1 AND NO 3) has been furnished by electronic mail on this 12th day of July, 2012, to the following:

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By: s/Karen S. White
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