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Subject: Electronic Filing - Docket No. 120015-EI - OPC's Objections to FPL's 3rd Rogs
Attachments: Citizens' Objections to FPL 3rd Rog's Nos. 20-27.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 120015-EI

In re: Petition for rate increase by Florida Power & Light Company

c. Documents being filed on behalf of the Office of Public Counsel

d. There are a total of 7 pages.

e. The document attached for electronic filing is: Citizens' Objections to FPL's 3rd Set of Interrogatories (Nos. 20-27)

Thank you for your attention and cooperation to this request.

Phyllis W. Philip-Guide
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DOCUMENT NUMBER - DATE

04882 JUL 20 09

FPSC - COMMISSION CLERK

7/20/2012

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida
Power & Light Company

Docket No: 120015-EI

Filed: July 20, 2012

**CITIZENS' OBJECTIONS TO FLORIDA POWER AND LIGHT'S THIRD SET OF
INTERROGATORIES (NOS. 20-27)**

Office of Public Counsel, ("Citizens"), by the requirements set forth in the Commission Order No. PSC-12-0143-PCO-EI, Rule 28-106-206, Florida Administrative Code, and Rule 1.340, Florida Rules of Civil Procedure, submit the following response to the Third Set of Interrogatories (Nos. 20-27) propounded by Florida Power and Light (FPL) on July 5, 2012.

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in the requests, Citizens object to any definitions or instructions that are inconsistent with Citizens' discovery obligations under applicable rules. If some question arises as to Citizens' discovery obligations, Citizens will comply with applicable rules and not with any of the definitions or instructions that are inconsistent with those rules.

Citizens object to each and every request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests. Any responses provided by Citizens are provided subject to, and without waiver of, the foregoing objection.

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Citizens object to the extent any discovery request is unduly burdensome. Citizens further object to any requests that would require Citizens and/or its consultants to perform a new study or analysis.

Citizens generally object to any request that calls for data or information protected by the attorney-client privilege, the work product privilege, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law.

Citizens reserve the right to supplement any of its responses if Citizens cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if Citizens later discover additional responsive information in the course of this proceeding. By making these general objections at this time, Citizens do not waive or relinquish its right to assert additional general and specific objections to FPL's discovery.

By making these responses herein, Citizens do not concede that any request is relevant to this action or is reasonably calculated to lead to the discovery of admissible evidence. Citizens expressly reserve the right to object to further discovery into the subject matter of any of these requests, to the introduction of evidence of any response or portion thereof, and to supplement its responses should further investigation disclose responsive information.

Citizens object to providing information to the extent that such information is already in the public record before the Florida Public Service Commission and available to FPL through normal procedures.

In responding to these Requests, Citizens do not waive the foregoing objections, or the specific objections that are set forth in the responses to particular requests.

ADDITIONAL SPECIFIC OBJECTIONS

In addition to the general objections which apply to every interrogatory, Citizens provide the following objections to specific interrogatories:

20. Regarding Witness Vondle: Please detail your experience with positive time reporting and state why you believe it would benefit FPL

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

21. For each witness testifying on behalf of the Citizens/Office of Public Counsel, please state the amount paid for services performed in connection with this docket.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

22. Regarding Witness Vondle at page 19: Your testimony states that newness and growth are important cost drivers. Please explain how you would calculate such cost drivers and how you would quantify such allocation factors.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

23. Regarding Witness Ramas (testimony pp. 8-9): Please cite all Florida PSC orders of which you are aware where the reason given by the Commission for disallowing recovery on property held for future use is that there is not a specific in-service date for the property in question.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

24. Regarding Witness Ramas (testimony p. 10): Please cite all Florida PSC orders of which you are aware where the Commission has disallowed inclusion of property held for future use in a projected test year because the utility projects to purchase the property in or before the test year but had not done so at the time of the rate case filing.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

25. Regarding Witness Ramas: If the Florida PSC were to accept your recommendations for disallowing inclusion in property held for future use of power plant and transmission sites, do you contend that it would be appropriate for FPL to sell those sites rather than continuing to hold them? Why or why not?

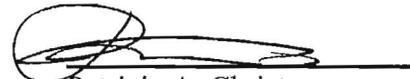
RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

26. Regarding Witness Ramas (testimony p. 21): Do you contend that FPL's current projection of net O&M expense for the AMI project in 2013 of \$3,744,000 is inaccurate, based on the information that was available to FPL at the that it prepared its 2013 test year forecast? If so, please explain in detail the basis for that contention.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.

27. Regarding Witness Ramas (testimony pp. 22-23): Do you contend that FPL currently expects to have a negative net O&M expense for the AMI project in 2013 of \$19,943,000? If so, please explain in detail the basis for that contention.

RESPONSE: Citizens have no specific objection at this time. However, Citizens reserve the right to assert any additional objections based on confidentiality and/or privilege that come to Citizens' attention during the preparation of the discovery.



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by e-mail and

U.S. Mail this 20th day of July, 2012 to:

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