

**Eric Fryson**

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**Sent:** Wednesday, August 01, 2012 10:59 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Christensen, Patty; Mcglothlin, Joseph; Merchant, Tricia; 'Brian P. Armstrong, Esq.'; Caroline Klancke; 'Charles Milsted'; 'Dan Larson'; 'John Moyle (jmoyle@moylelaw.com)'; 'John T. Butler (John.Butler@fpl.com)'; 'John T. LaVia (jlavia@gbwlegal.com)'; 'John W. Hendricks'; Keino Young; 'Ken Hoffman (Ken.Hoffman@fpl.com)'; 'Kenneth L. Wiseman'; 'Larry Nelson'; 'Linda S. Quick'; 'Lisa M. Purdy'; 'Mark F. Sundback'; 'Patrick Ahlm'; 'Paul Woods'; 'Peter Ripley'; 'Qyang Ha'; 'Schef Wright (schef@gbwlegal.com)'; 'Thomas Saporito'; 'Vickie Gordon Kaufman (vkaufman@moylelaw.com)'; 'W. Rappolt'; 'Wade Litchfield'; 'White, Karen'; 'William C. Garner, Esq.'  
**Subject:** Electronic Filing - Docket No. 120015-EI - OPC's Objections to Staff's 1st POD's  
**Attachments:** Citizens Objections to Staff's 1st POD's (Nos. 1-3).docx.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Patricia A. Christensen, Associate Public Counsel  
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c/o The Florida Legislature  
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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 6 pages.

e. The document attached for electronic filing is Citizens' Objections to Staff's 1<sup>st</sup> Request For Production of Documents (Nos. 1-3).

Thank you for your attention and cooperation to this request.

Phyllis W. Philip-Guide  
Assistant to Patricia A. Christensen  
Office of Public Counsel  
Phone #: 488-9330  
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DOCUMENT NUMBER-DATE

05156 AUG-1 2012

FPSC-COMMISSION CLERK

8/1/2012

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

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Docket No: 120015-EI

Filed: August 1, 2012

**CITIZENS' OBJECTIONS TO STAFF'S FIRST REQUEST  
FOR PRODUCTION OF DOCUMENTS  
(NOS. 1-3)**

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 1.350, Florida Rules of Civil Procedure, submit the following response to the First Request for Production of Documents (Nos.1-3) propounded by the Staff of the Florida Public Service Commission (Staff) on July 17, 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 Staff'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 Staff 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:

1. Please provide all work papers, calculations, and source documents for Exhibit No. HWS-6 and HWS-7.

**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.

2. Please provide, in EXCEL format with formulas intact, showing the calculations for lines 1 through 16 in Exhibit No. HWS-6. In your response, please include the identification and explanation of each input and assumption used.

**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.

3. Please provide, in EXCEL format with formulas intact, showing the calculations for lines 1 through 14 in Exhibit No. HWS-7. In your response, please include the identification and explanation of each input and assumption used.

**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.**



**Patricia A. Christensen  
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**(850) 488-9330  
Attorney for Florida's Citizens**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and foregoing Citizens' Response to Staff's First Request for Production of Documents (Nos. 1-3) has been furnished electronically and/or by U.S. Mail on this 1st day of August, 2012, to the following:

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