

**Shawna Senko**

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**Sent:** Thursday, August 15, 2013 3:28 PM  
**To:** Filings@psc.state.fl.us  
**Subject:** Docket No. 130040-EI: HUA's Objections to Tampa Electric Company's First Request for Admissions (Nos. 1-10)  
**Attachments:** HUA Objections to TECO Requests.pdf

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 130040-EI.

c. Document being filed on behalf of WCF Hospital Utility Alliance (HUA).

d. There are a total of 24 pages.

e. The document attached for electronic filing is HUA's Objections to Tampa Electric Company's First Request for Admissions (Nos. 1-10),  
Second Set of Interrogatories (Nos. 3-21), and Second Request for Production of Documents (Nos. 9-15)

(See attached HUA Objections to TECO Request.pdf)

Thank you for your attention and cooperation to this filing.

Regards.  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by  
Tampa Electric Company

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§  
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§  
§

Docket No.: 130040-EI

Dated: August 15, 2013

**WCF HOSPITAL UTILITY ALLIANCE'S  
OBJECTIONS TO TAMPA ELECTRIC COMPANY'S  
FIRST REQUEST FOR ADMISSIONS (NOS. 1-10),  
SECOND SET OF INTERROGATORIES (NOS. 3-21), AND  
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 9-15)**

Pursuant to Rule 28-106.206 of the Florida Administrative Code and Rules 1.340 and 1.350 of the Florida Rules of Civil Procedure, the WCF Hospital Utility Alliance ("HUA"), by and through its undersigned representatives, hereby submits the following objections to Tampa Electric Company's ("Tampa Electric") First Request for Admissions (Nos. 1-10), Second Set of Interrogatories (Nos. 3-21), and Second Request for Production of Documents (Nos. 9-15), all dated July 26, 2013.

At the outset, we note that many of these requests seek information that would be unduly burdensome to produce, are irrelevant to the issues being litigated in this proceeding, are not reasonably calculated to lead to the discovery of admissible evidence, and, as such, constitute harassment.

**I. Preliminary Nature of Objections**

A. HUA's objections stated herein are preliminary in nature. HUA is furnishing its objections consistent with the timeframe set forth in the Florida Public Service Commission's ("Commission") Order Establishing Procedure, Order No. PSC-13-0150-PCO-EI, and Rule 1.190(e) of the Florida Rules of Civil Procedure. Should HUA discover additional grounds for

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objection as it develops its responses, HUA reserves the right to supplement or modify its objections. Should HUA determine that a protective order is necessary regarding any of the information requested of HUA, HUA reserves the right to file a motion with the Commission seeking such an order.

**II. General Objections**

Any responses provided by HUA to any Tampa Electric discovery request will be provided subject to, and without waiver of, the following objections:

A. HUA objects to each Tampa Electric request that requires information pertaining to periods that date back to 2006 or beyond. Information from such distant chronological periods is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. In addition, it would be unduly burdensome to require HUA to research and produce information and documents from periods prior to January 1, 2007.

B. HUA objects to each Tampa Electric request that requires information in the possession of other entities. HUA will provide relevant materials in its possession and control and will not be responsible for obtaining materials from other entities.

C. HUA objects to each discovery request that calls for information protected by the attorney-client privilege, the work product doctrine, the common interests privilege, joint defense 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. HUA in no way intends to waive such privilege or protection. HUA objects to Tampa Electric's instructions to the extent they purport to require HUA to provide more

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information, with respect to withheld privileged documents, than required under applicable rules and law.

D. HUA objects to providing information that is proprietary, confidential business information without adequate provisions in place to protect the confidentiality of the information. HUA in no way intends to waive claims of confidentiality.

E. HUA objects to each discovery request that seeks information that is duplicative, or not relevant to the subject matter of this proceeding and not reasonably calculated to lead to the discovery of admissible evidence. HUA expressly reserves and does not waive any and all objections to the admissibility, authenticity or relevancy of the information provided in its responses to the discovery requests.

F. HUA objects to each and every discovery request that calls for the production of documents and/or disclosure of information from HUA that does not deal with the costs, revenues, or billing determinants used to derive Tampa Electric's justification for claims of changes in rates for services provided by Tampa Electric. Documents and/or information, aside from those involving justification for Tampa Electric's claim of changed rates, do not affect Tampa Electric's rates or cost of service. Further, the information thus elicited is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, such requests are by their very nature unduly burdensome and overly broad. Subject to and without waiving any other objections, HUA will respond to the extent the discovery request pertains to Tampa Electric's claimed justification for changes in rates and services.

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G. Responsive documents may be located in a variety of different cities. Thus, it is possible that not every relevant document may have been consulted in developing HUA's responses. The responses given by HUA will, however, provide all the documents and/or information that HUA obtained after a reasonable and diligent search conducted in connection with a discovery request. To the extent that discovery requests propose to require more, HUA objects on the ground that compliance would impose either an undue burden or expense on HUA.

H. HUA objects to any production location other than their attorneys' office at 1350 I Street, NW, Washington, DC 20005 or such other location of HUA's choosing, during regular business hours upon reasonable advance notice.

I. HUA objects to any definition and/or instruction in any interrogatory or request to the extent they purport to impose upon HUA any obligations that HUA does not have under the law.

J. HUA objects to each request that is vague, ambiguous, or overly broad, imprecise, or utilizes terms subject to multiple interpretations, but not properly defined or explained for purposes of such discovery requests.

K. HUA objects to each request that requires HUA to prepare information in a particular format, to create new data, documents or studies, to perform legal research, to provide a legal conclusion, or to perform calculations or analyses not previously prepared, created or performed by HUA. HUA will provide material in existing formats, but will not be required to

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create new data or documents, conduct new studies, perform new calculations or analyses, or acquire new software to respond to requests.

L. HUA objects to providing information that is already in the public record or that is as easily accessible to Tampa Electric as to HUA or already is in Tampa Electric's possession or is readily accessible through legal search engines.

M. HUA objects to each discovery request to the extent that the information requested constitutes "trade secrets" which are privileged pursuant to Sections 90.506 and 366.093(3)(a) of the Florida Statutes. HUA also objects to provision of any document that would expose them to claims of copyright or other intellectual-property based claims, or any other adverse claim or exposure based upon provisions of licensing or other agreements.

N. HUA objects to discovery requests that appear intended to harass HUA and/or its members.

O. HUA reserves its right to count discovery requests and their sub-parts, as permitted under the applicable rules of procedure, in determining whether it is obligated to respond to additional requests served by any party. HUA objects to any attempt by the party seeking discovery to evade any numerical limitations set on interrogatories or requests by asking multiple independent discovery requests within a single individual discovery request and subparts thereof.

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

**III. Specific Objections**

Without prejudice to or waiver of the application of HUA's General Objections to these and/or other requests, HUA supplements such objections as follows:

A. HUA objects to Request for Admissions No. 1, which reads as follows:

1. Admit that Hospital A uses Towers Watson as its compensation advisor, the same as Tampa Electric.

**Basis for Objection:** HUA objects to Request for Admissions No. 1 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Whether or not Hospital A uses Towers Watson as its compensation advisor does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding. The fact that a customer of Tampa Electric owns a Chevrolet pickup does not demonstrate that Tampa Electric was prudent with regard to purchasing such a pickup for use in response to its circumstances, rather than the Tampa Electric customer's needs, much less that the price paid for such pickup by Tampa Electric was reasonable or that the purpose to which it was put was necessary for the provision of jurisdictional services. Indeed, this transparent tactic could ultimately bog down rate cases as the utility attempts to deflect attention from its own actions, looking instead to those of potentially thousands of its customers. *See* General Objection Nos. E and F.

B. HUA objects to Request for Admissions No. 2, which reads as follows:

2. Admit that 30 or more officers and key employees of Hospital A received bonus and/or incentive compensation in 2010.



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**Basis for Objection:** HUA objects to Request for Admissions No. 2 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and bonus and/or incentive compensation in the healthcare industry does not reflect utility industry structure. *See* General Objection Nos. E and F. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry.

C. HUA objects to Request for Admissions No. 3, which reads as follows:

3. Admit that a portion of Hospital A's bonus and incentive compensation program is based on achieving certain financial targets.

**Basis for Objection:** HUA objects to Request for Admissions No. 3 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and bonus and incentive compensation programs in the healthcare industry do not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

D. HUA objects to Request for Admissions No. 4, which reads as follows:

4. Admit that officers and key employees of Hospital B received bonus and incentive compensation in 2011.

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**Basis for Objection:** HUA objects to Request for Admissions No. 4 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and bonus and incentive compensation in the healthcare industry does not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

E. HUA objects to Request for Admissions No. 5, which reads as follows:

5. Admit that nine officers and key employees of Hospital C received bonus and incentive compensation in 2011.

**Basis for Objection:** HUA objects to Request for Admissions No. 5 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and bonus and incentive compensation in the healthcare industry does not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

F. HUA objects to Request for Admissions No. 6, which reads as follows:

6. Admit that payment of bonuses to officers and key employees of Hospital C in 2011 are based in part on financial performance.

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**Basis for Objection:** HUA objects to Request for Admissions No. 6 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and bonuses paid in the healthcare industry does not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

G. HUA objects to Request for Admissions No. 7, which reads as follows:

7. Admit that the company that owns or manages Hospital's D and E has a stock based compensation system as reflected in its SEC Form 10K for the period ended December 31, 2012.

**Basis for Objection:** HUA objects to Request for Admissions No. 7 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and stock based compensation systems in the healthcare industry do not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

H. HUA objects to Request for Admissions No. 8, which reads as follows:

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8. Admit that, while legal expenses may vary from time to time for each of the HUA hospital members, most large businesses, including HUA's hospital members, are subject to litigation on a continuing basis.

**Basis for Objection:** HUA objects to Request for Admissions No. 8 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Whether HUA hospital members are subject to litigation on a continuing basis does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding, and litigation in the healthcare industry does not reflect utility industry structure. HUA also objects to this request on the grounds that it calls for speculation. HUA has no basis for knowing whether "most large businesses . . . are subject to litigation on a continuing basis" and further objects to this request to the extent that it calls for HUA to research and conduct a broad analysis examining the extent that "large businesses . . . are subject to litigation on a continuing basis." *See* General Objection Nos. E, F, J, and K.

- I. HUA objects to Request for Admissions No. 9, which reads as follows:

9. Admit that legal expenses and payment for litigation are ordinary and necessary expenses of running a modern business such as a hospital.

**Basis for Objection:** HUA objects to Request for Admissions No. 9 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and litigation expenses in the healthcare industry do not reflect utility industry structure. *See* General Objection Nos. E and F.

- J. HUA objects to Request for Admissions No. 10, which reads as follows:

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10. Admit that Hospital A's legal expenses in 2009 and 2010 based on its Form 990's were \$9.4 and \$2.8 million, respectively.

**Basis for Objection:** HUA objects to Request for Admissions No. 10 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and legal expenses in the healthcare industry do not reflect utility industry structure. Legal expenses in the healthcare industry are not pertinent to legal expenses in the utility industry. *See* General Objection Nos. E and F.

- K. HUA objects to Interrogatory No. 3, which reads as follows:

3. Please state how many of your member hospitals are for-profit and how many are non-profit.

**Basis for Objection:** HUA objects to Interrogatory No. 3 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Whether an HUA member hospital is a for-profit or non-profit entity does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding. *See* General Objection Nos. E and F.

- L. HUA objects to Interrogatory No. 4, which reads as follows:

4. For each member of HUA please provide the percentage of employees eligible for incentive compensation.

**Basis for Objection:** HUA objects to Interrogatory No. 4 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and incentive compensation in the healthcare industry does not reflect utility industry structure. Circumstances concerning compensation in the healthcare industry are not pertinent to circumstances concerning compensation in the

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utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

M. HUA objects to Interrogatory No. 5, which reads as follows:

5. By member hospital, provide the amounts of total payroll paid out in incentive compensation broken out by the following categories:
  - a. Bonus payouts
  - b. Stock compensation
  - c. Other non-salary compensation

**Basis for Objection:** HUA objects to Interrogatory No. 5 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and incentive compensation in the healthcare industry does not reflect utility industry structure. *See* General Objection Nos. E and F.

N. HUA objects to Interrogatory No. 6, which reads as follows:

6. How much compensation has HUA paid its attorneys and consultants for this base rate proceeding through July of 2013?

**Basis for Objection:** HUA objects to Interrogatory No. 6 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. The amount of compensation that HUA has paid its attorneys and consultants for this base rate proceeding does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding and does not reflect utility industry structure. HUA also objects to this request to the extent that it calls for HUA to produce information that is proprietary, confidential business information without provisions in

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place to protect the confidentiality of the information. *See* General Objection Nos. D, E, F, and M.

O. HUA objects to Interrogatory No. 7, which reads as follows:

7. Please provide the percentage change in O&M costs by year from 2000 to the present for each member hospital?

**Basis for Objection:** HUA objects to Interrogatory No. 7 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and O&M costs in the healthcare industry do not reflect utility industry structure. Healthcare facility O&M costs (*e.g.*, repair of x-ray machines, other medical equipment) do not shed any light on utility O&M expenses (*e.g.*, coal handlers, rail cars, linemen, tree-trimming). HUA also objects to this request on the grounds that it would be unduly burdensome for HUA to obtain records from each member hospital on O&M costs dating back to periods over 13 years ago to respond to this request. *See* General Objection Nos. A, E, and F.

P. HUA objects to Interrogatory No. 8, which reads as follows:

8. Please provide the percentage change in uncollectable accounts expense by year from 2000 to the present for each member hospital?

**Basis for Objection:** HUA objects to Interrogatory No. 8 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and uncollectable account expenses in the healthcare industry do not reflect utility industry structure. Uncollectible accounts in the healthcare industry do not shed any light on utility uncollectible accounts. HUA also objects to this request on the

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grounds that it would be unduly burdensome for HUA to obtain records from each member hospital on uncollectable account expenses dating back to periods over 13 years ago to respond to this request. *See* General Objection Nos. A, E, and F.

Q. HUA objects to Interrogatory No. 9, which reads as follows:

9. Please provide the amount spend [*sic*] on legal costs as a percentage of O&M for each member hospital from 2000 to the present?

**Basis for Objection:** HUA objects to Interrogatory No. 9 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and legal costs in the healthcare industry do not reflect utility industry structure. HUA also objects to this request on the grounds that it would be unduly burdensome for HUA to obtain records from each member hospital on legal costs dating back to periods over 13 years ago to respond to this request, and to perform the requested study. HUA will not perform any new studies in response to this request. *See* General Objection Nos. A, E, F, and K.

R. HUA objects to Interrogatory No. 10, which reads as follows:

10. Please provide the percentage of legal costs that is recurring vs. non-recurring for each member hospital?

**Basis for Objection:** HUA objects to Interrogatory No. 10 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Whether an HUA member hospital's legal costs are recurring or non-recurring does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding, and legal costs in the healthcare industry do not reflect utility



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industry structure. HUA also objects to this request on the grounds that it would be unduly burdensome for HUA to study all legal costs for each member hospital and ascertain which costs are recurring vs. non-recurring. HUA will not perform any new studies in response to this request. *See* General Objection Nos. E, F, and K.

S. HUA objects to Interrogatory No. 11, which reads as follows:

11. Please provide a comparison of the change in electric costs to the change in O&M for each member hospital from 2000 to the present?

**Basis for Objection:** HUA objects to Interrogatory No. 11 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. HUA member hospitals' O&M costs are not at issue in this proceeding nor do they affect Tampa Electric's cost of service or any other issue being litigated in this proceeding. HUA also objects to this request on the grounds that it would be unduly burdensome for HUA to obtain records from each member hospital on O&M costs expenses and perform analyses comparing those costs to the change in electric costs on an annual basis for 13 years to respond to this request. *See* General Objection Nos. A, E, F, and K.

T. HUA objects to Interrogatory No. 12, which reads as follows:

12. Please provide the percentage change in total compensation for each member hospital from 2007 to the present?

**Basis for Objection:** HUA objects to Interrogatory No. 12 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and total compensation in the healthcare industry does not reflect

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utility industry structure. HUA also objects to this request on the grounds that it would be unduly burdensome for HUA to obtain records from each member hospital regarding the various methods of compensation that each member hospital may have provided from 2007 to the present and to perform analyses on those records to determine total compensation and the percentage change in total compensation for each member hospital from 2007 to the present. *See* General Objection Nos. A, E, F, and K.

U. HUA objects to Interrogatory No. 15, which reads as follows:

15. Regarding Kollen at 9 lines 15-24. Please provide all Commission references where the Commission stated the company's O&M request was "excessive".

**Basis for Objection:** HUA objects to Interrogatory No. 15 to the extent that this request calls for HUA to conduct legal research on behalf of Tampa Electric. HUA also objects to this request on the grounds that the information sought in this request, *i.e.*, Commission references to the Company's O&M request was "excessive," is as readily accessible to Tampa Electric as it is to HUA because Commission orders, where such information would lie, are a matter of public record. HUA also objects to this request on the grounds that this request calls for a legal conclusion. *See* General Objection Nos. K and L.

V. HUA objects to Interrogatory No. 16, which reads as follows:

16. Regarding Kollen. Please list all Commission decisions that have specifically adopted his proposed "top-down" approach in setting O&M levels for projected test years.

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**Basis for Objection:** HUA objects to Interrogatory No. 16 to the extent that this request calls for HUA to conduct legal research on behalf of Tampa Electric. HUA also objects to this request on the grounds that the information sought in this request, *i.e.*, Commission decisions adopting the “top-down” approach in setting O&M levels for projected test years, is as readily accessible to Tampa Electric as it is to HUA because Commission orders, where such information would lie, are a matter of public record. HUA also objects to this request on the grounds that this request calls for a legal conclusion. *See* General Objection Nos. K and L.

W. HUA objects to Interrogatory No. 19, which reads as follows:

19. Regarding Kollen. Please list all Commission decisions that have specifically adopted his proposed “bottoms-up” approach in setting O&M levels for projected test years.

**Basis for Objection:** HUA objects to Interrogatory No. 19 to the extent that this request calls for HUA to conduct legal research on behalf of Tampa Electric. HUA also objects to this request on the grounds that the information sought in this request, *i.e.*, Commission decisions adopting the “bottoms-up” approach in setting O&M levels for projected test years, is as readily accessible to Tampa Electric as it is to HUA because Commission orders, where such information would lie, are a matter of public record. HUA also objects to this request on the grounds that this request calls for a legal conclusion. *See* General Objection Nos. K and L.

X. HUA objects to Interrogatory No. 20, which reads as follows:

20. Regarding Kollen at 23 lines 1-8. Please list all Commission decisions that have specifically adopted witness Kollen’s proposed incentive to

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reduce common equity by allowing a pro-forma adjustment to incentive compensation.

**Basis for Objection:** HUA objects to Interrogatory No. 20 to the extent that this request calls for HUA to conduct legal research on behalf of Tampa Electric. HUA also objects to this request on the grounds that the information sought in this request, *i.e.*, Commission decisions adopting witness Kollen's proposed incentive to reduce common equity, is as readily accessible to Tampa Electric as it is to HUA because Commission orders, where such information would lie, are a matter of public record. HUA also objects to this request on the grounds that this request calls for a legal conclusion. *See* General Objection Nos. K and L.

Y. HUA objects to Production of Documents Request ("POD") No. 9, which reads as follows:

9. Please provide the compensation and benefits program for each member hospital.

**Basis for Objection:** HUA objects to POD No. 9 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence, and compensation and benefits programs in the healthcare industry do not reflect utility industry structure. Circumstances concerning compensation and benefits in the healthcare industry are not pertinent to circumstances concerning compensation and benefits in the utility industry. Further, there has been no showing or even an allegation that utility industry's circumstances are comparable to those of the healthcare industry. *See* General Objection Nos. E and F.

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Z. HUA objects to POD No. 10, which reads as follows:

10. Please provide all agreements between HUA and its attorneys and consultants in this rate case proceeding.

**Basis for Objection:** HUA objects to POD No. 10 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Agreements between HUA and its attorneys and consultants are not included in Tampa Electric's cost of service. HUA also object to this request on the grounds that it calls for HUA to produce information protected by the attorney-client privilege. *See* General Objection Nos. C, E and F.

AA. HUA objects to POD No. 11, which reads as follows:

11. Please provide annual financial statements and budgets for each member hospital by year from 2002 to present.

**Basis for Objection:** HUA objects to POD No. 11 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. Annual financial statements and budgets for each HUA member hospital does not affect Tampa Electric's cost of service or any other issue being litigated in this proceeding, and annual financial statements and budgets in the healthcare industry for HUA member hospitals do not reflect utility industry structure. HUA also objects to this request on the grounds that this request calls for documents dating back over 11 years ago and thus would be unduly burdensome to produce. *See* General Objection Nos. A, E, and F.

BB. HUA objects to POD No. 12, which reads as follows:

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12. Please provide any contract or agreement between HUA and its member hospitals regarding this base rate proceeding.

**Basis for Objection:** HUA objects to POD No. 12 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. HUA also objects to this request on the grounds that it calls for HUA to produce information protected by the attorney-client privilege, and to the extent that it calls for HUA to produce information that is proprietary, confidential business information without adequate provisions in place to protect the confidentiality of the information. *See* General Objection Nos. C, D, E, F, and M.

CC. HUA objects to POD No. 13, which reads as follows:

13. Please provide all documents, notes or memoranda between member hospitals and HUA regarding this base rate proceeding.

**Basis for Objection:** HUA objects to POD No. 13 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. HUA also objects to this request on the grounds that it calls for HUA to produce information protected by the attorney-client privilege or the work product doctrine, and to the extent that it calls for HUA to produce information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. *See* General Objection Nos. C, D, E, F, and M.

DD. HUA objects to POD No. 14, which reads as follows:

14. Please provide any and all work papers used to produce the "12 CP and 1/13th AD methodology that incorporates MDS methodology for allocating distribution costs referenced in Witness Baron's testimony at [sic] 6, lines 7 -9 and Exhibit SJB -6. Please provide such work papers

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and the cost of service study itself, electronically in Excel, with all formulas and calculations intact and unlocked.

**Basis for Objection:** HUA objects to POD No. 14 to the extent that this request calls for HUA to produce information that is proprietary and/or confidential without adequate provisions in place to protect the confidentiality of the information. HUA also objects to this request to the extent that it requires HUA to transform documents into any format other than native format. *See* General Objection Nos. D, K, and M.

EE. HUA objects to POD No. 15, which reads as follows:

15. Please provide copies of all invoices received from each witness who submitted pre-filed testimony or who will testify on behalf of HUA.

**Basis for Objection:** HUA objects to POD No. 15 on the grounds that this request is not relevant, nor is it reasonably calculated to lead to the discovery of admissible evidence. HUA also objects to this request on the grounds that it calls for HUA to produce information protected by the attorney-client privilege or the work product doctrine, and to the extent that it calls for HUA to produce information that is proprietary, confidential business information without adequate provisions in place to protect the confidentiality of the information. *See* General Objection Nos. C, D, E, F, and M.

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Respectfully submitted,

/s/ Kenneth L. Wiseman

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Qualified Representatives for the  
WCF Hospital Utility Alliance

DATED: August 15, 2013



**CERTIFICATE OF SERVICE**  
**DOCKET NO. 130040-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by electronic mail, U.S. Mail, or Federal Express, this 15th day of August, 2013, to the following:

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