

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery Clause.

Docket No. 140009-EI

Submitted for Filing: July 7, 2014

**DUKE ENERGY FLORIDA, INC.'S OBJECTIONS TO
CITIZENS' SECOND SET OF INTERROGATORIES (NOS. 34-55)**

Pursuant to Florida Administrative Code Rule 28-106.206, Rules 1.340 and 1.280 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure, Order No. PSC-14-0082-PCO-EI, issued February 4, 2014 (the "Order") in this matter, Duke Energy Florida, Inc. ("DEF") serves its objections to the Office of Public Counsel's ("Citizens" or "OPC") Second Set of Interrogatories (Nos. 34-55) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's Interrogatories:

DEF generally objects to the Interrogatories to the extent that they call for documents 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. DEF will provide a privilege log within a reasonable time or as may be agreed to by the parties to the extent that an interrogatory calls for the production of privileged or protected documents or information.

Further, in certain circumstances, DEF may determine upon investigation and analysis that documents responsive to certain interrogatories to which objections are not otherwise asserted are confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such a request, DEF is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement, protective order, or the procedures

otherwise provided by law. DEF hereby asserts its right to require such protection of any and all information that may qualify for protection under the Florida Rules of Civil Procedure, and all other applicable statutes, rules, and legal principles.

DEF also generally objects to the Interrogatories to the extent that they call for the production of “all” documents or information of any nature, including, every copy of every document responsive to the requests. DEF will make a good faith, reasonably diligent attempt to identify and obtain responsive documents or information when no objection has been asserted, but it is not practicable or even possible to identify, obtain, and produce “all” information or documents. In addition, DEF reserves the right to supplement any of its responses to the Interrogatories if DEF cannot respond immediately due to their magnitude and the work required aggregating them, or if DEF later discovers additional responsive information or documents in the course of this proceeding.

DEF further objects to the Instructions and Definitions to the extent that they seek to impose requirements on the responses to the Interrogatories beyond the requirements of the Florida Rules of Civil Procedure. DEF will respond to all Interrogatories consistent with the requirements of the Florida Rules of Civil Procedure, and not some inconsistent and additional requirement under the Instructions and Definitions.

SPECIFIC OBJECTIONS

Interrogatory No. 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 50, 51, 52, 53, and 54:

DEF specifically objects to these interrogatories because they request information that is not relevant to any of the issues for consideration by the Commission in this docket and, as such, these interrogatories are not reasonably calculated to lead to the discovery of admissible evidence in this 2014 NCRC docket-cycle. Subject to this objection, and without waiving same, DEF will provide an appropriate response.

Respectfully submitted this 7th day of July, 2014.

John T. Burnett
Deputy General Counsel
Dianne M. Triplett
Associate General Counsel
DUKE ENERGY FLORIDA, INC.
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5587
Facsimile: (727) 820-5519

/s/ Blaise N. Gamba
James Michael Walls
Florida Bar No. 0706242
Blaise N. Gamba
Florida Bar No. 0027942
CARLTON FIELDS JORDEN BURT, P.A.
Post Office Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic mail this 7th day of July, 2014.

/s/ Blaise N. Gamba
Attorney

Keino Young
Caroline Klancke
Florida Public Service Commission Staff
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
Phone: (850) 413-6199
Facsimile: (850) 413-6184
Email: cklancke@psc.state.fl.us
kyoung@psc.state.fl.us

Charles Rehwinkel
Deputy Public Counsel
Erik Saylor
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
Email: rehwinkel.charles@leg.state.fl.us
Saylor.erik@leg.state.fl.us

Jon C. Moyle, Jr.
Karen Putnal
Moyle Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: (850) 681-8788
Email: jmoyle@moylelaw.com
kputnal@moylelaw.com

James W. Brew
F. Alvin Taylor
Brickfield Burchette Ritts & Stone, PC
1025 Thomas Jefferson St NW
8th FL West Tower
Washington, DC 20007-5201
Phone: (202) 342-0800
Fax: (202) 342-0807
Email: jbrew@bbrslaw.com
ataylor@bbrslaw.com

Robert Scheffel Wright
John T. LaVia, III
Gardner Law Firm
1300 Thomaswood Drive
Tallahassee, FL 32308
Phone: (850) 385-0070
Email: Schef@gbwlegal.com
Jlavia@gbwlegal.com

Bryan S. Anderson
Jessica Cano
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408-0420
Phone: (561) 304-5253
Facsimile: (561) 691-7135
Email: bryan.anderson@fpl.com
Jessica.cano@fpl.com

George Cavros
Southern Alliance for Clean Energy
120 E. Oakland Park Blvd, Ste. 105
Fort Lauderdale, FL 33334
Phone: (954) 295-5714
Facsimile: (866) 924-2824
Email: george@cavros-law.com

Matthew R. Bernier
Paul Lewis, Jr.
Duke Energy Florida, Inc.
106 East College Avenue, Ste. 800
Tallahassee, FL 32301-7740
Phone: (850) 222-8738
Facsimile: (850) 222-9768
Email: matthew.bernier@duke-energy.com
paul.lewisjr@duke-energy.com

Kenneth Hoffman
Florida Power & Light Company
215 South Monroe Street, Ste. 810
Tallahassee, FL 32301-1858
Phone: (850) 521-3919
Facsimile: (850) 521-3939
Email: Ken.hoffman@fpl.com