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September 18, 2014

Ms. Carlotta Stauffer, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

Dear Ms. Stauffer:

RE: Docket No. 140007-EI

Attached herein are Gulf Power Company's Objections to Southern Alliance for Clean Energy's First Set of Interrogatories (Nos. 1-4) and Southern Alliance for Clean Energy's First Request for Production of Documents (Nos. 1-3).

Sincerely,

A handwritten signature in black ink that reads "Robert L. McGee, Jr." The signature is written in a cursive, flowing style.

Robert L. McGee, Jr.  
Regulatory and Pricing Manager

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Attachments

cc:    Beggs & Lane  
       Jeffrey A. Stone

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Environmental Cost Recovery Clause

Docket No. 140007-EI

Dated: September 18, 2014

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**GULF POWER COMPANY'S OBJECTIONS TO  
SOUTHERN ALLIANCE FOR CLEAN ENERGY'S FIRST  
INTERROGATORIES TO GULF POWER (NOS. 1-4)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Gulf Power Company ("Gulf") hereby serves its objections to Southern Alliance for Clean Energy's ("SACE") First Interrogatories to Gulf Power Company (Nos. 1-4, and respectively, and together "the Requests") and states as follows:

**GENERAL OBJECTIONS**

With respect to any "Definitions" and "Instructions" in SACE's Interrogatories, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of SACE's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for information that is not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery. No responses to the requests will be made on behalf of persons or entities other than Gulf. Gulf objects to any request that calls for Gulf to perform analyses that it has not otherwise performed in support of its case and would not normally perform in the ordinary course of its business because there is no such requirement under the applicable rules and law.

Additionally, Gulf generally objects to SACE's requests to the extent that they call 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. Gulf will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any request calls for the production of privileged or protected information.

Further, in certain circumstances, Gulf may determine upon investigation and analysis that information responsive to certain requests to which objections are not otherwise asserted is confidential and proprietary and should be produced only under an appropriate confidentiality agreement, if at all. By agreeing to provide such information in response to such a request, Gulf 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 or in the Order Establishing Procedure. Gulf 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, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

Gulf generally objects to SACE's interrogatories to the extent that they call for the production of documents on the ground that such a request is beyond the scope of Rule 1.340 of the Florida Rules of Civil Procedure.

By making these general objections at this time, Gulf does not waive or relinquish its right to assert additional general and specific objections to SACE's discovery at the time Gulf's response is due under the Florida Rules of Civil Procedure and the Order Establishing Procedure. Gulf provides these general objections at this time to comply with the intent of the Order

Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

### **SPECIFIC OBJECTIONS**

**Interrogatory 1:** Gulf objects to this interrogatory on the ground that it seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. Gulf's request in this docket for this cost recovery cycle includes costs related to previously approved programs/projects and does not address approval of any new projects. The requested information does not have any bearing on the costs for programs/projects included in Gulf's request in this docket. Further, Gulf objects to this interrogatory on the ground that it is overly broad and unduly burdensome.

**Interrogatory 2:** Gulf objects to this interrogatory on the ground that it calls for information on major maintenance costs which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. The question addresses costs for which Gulf does not seek cost recovery in this docket for 2015. Matters related to this question are beyond the scope of Docket No. 140007.

**Interrogatory 3:** Gulf objects to this interrogatory on the ground that it seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. The question addresses potential projects for which Gulf does not seek cost recovery in this docket for 2015. Matters related to this question are beyond the scope of Docket No. 140007.

**Interrogatory 4:** Gulf objects to this interrogatory on the ground that it seeks information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence.

Such information is beyond the scope of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted this 18<sup>th</sup> day of September 2014.

**JEFFREY A. STONE**  
Florida Bar No. 325953  
**RUSSELL A. BADDERS**  
Florida Bar No. 007455  
**STEVEN R. GRIFFIN**  
Florida Bar No. 627569  
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BY:   
Russell A. Badders  
Fla. Bar No.0007455

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Environmental Cost Recovery Clause

Docket No. 140007-EI

Dated: September 18, 2014

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**GULF POWER COMPANY'S OBJECTIONS TO  
SOUTHERN ALLIANCE FOR CLEAN ENERGY'S  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-3)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Gulf Power Company ("Gulf") hereby serves its objections to Southern Alliance for Clean Energy's ("SACE") First Request for Production of Documents (Nos. 1- 3, and respectively, and together "the Requests") and states as follows:

**GENERAL OBJECTIONS**

With respect to any "Definitions" and "Instructions" in SACE's Requests for Production, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of SACE's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for documents to be produced from the files of Gulf's counsel in this matter because such documents are privileged and are otherwise not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery.

Additionally, Gulf generally objects to SACE's Requests 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. Gulf will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any document request calls for the production of privileged or protected documents.

Further, in certain circumstances, Gulf may determine upon investigation and analysis that documents responsive to certain requests 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, Gulf 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 or in the Order Establishing Procedure. Gulf 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, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

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

Gulf generally objects to each Request to the extent that it calls for information that is not relevant to this case.

By making these general objections at this time, Gulf does not waive or relinquish its right to assert additional general and specific objections to SACE's discovery at the time Gulf's response is due under the Florida Rules of Civil Procedure and the Order Establishing Procedure. Gulf provides these general objections at this time to comply with the intent of the Order Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

### **SPECIFIC OBJECTIONS**

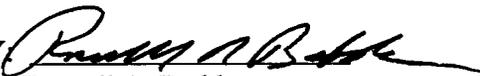
**Request 1:** Gulf objects to SACE's request number 1 because the data requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

**Request 2:** Gulf objects to SACE's request number 2 because the data requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

**Request 3:** Gulf objects to SACE's request number 3 because the data requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted this 18<sup>th</sup> day of September, 2014.

**JEFFREY A. STONE**  
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BY   
Russell A. Badders  
Fla. Bar No. 0007455

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: **Environmental Cost** )  
**Recovery Clause** )

Docket No.: 140007-EI

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 18th day of September, 2014 to the following:

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