

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination that)	DOCKET NO. 150043-EI
the Osprey Plant Acquisition and,)	
alternatively, the Suwannee Simple)	Submitted for filing: March 16, 2015
Cycle Project is the most Cost Effective)	
Generation Alternative to meet the)	
Remaining Need Prior to 2018 for)	
Duke Energy Florida, Inc.)	
_____)	

DUKE ENERGY FLORIDA, INC.’S OBJECTIONS TO STAFF’S FIRST SET OF INTERROGATORIES (NOS. 1-30)

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-15-0110-PCO-EI, issued Feb. 20, 2015 (the “Order”) in this matter, Duke Energy Florida, Inc. (“DEF”) serves its objections to the Staff of the Florida Public Service Commission (“Staff”) First Set of Interrogatories (Nos. 1-30) and states as follows:

GENERAL OBJECTIONS

DEF 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 if an interrogatory calls for the production of privileged or protected documents or information. Moreover, DEF will include in its privilege log only the information required by Florida law and not some inconsistent and additional requirement under the Instructions and Definitions.

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 further objects to the 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 Definitions.

SPECIFIC OBJECTIONS

Interrogatory #4: With respect to the request for DEF to use the most recent or 2015 data, DEF has not performed this analysis and therefore objects to the request for DEF to perform work that it has not previously done. Notwithstanding this objection, and without waiving same, DEF will provide a response to this interrogatory to the extent it can.

Interrogatory #6: DEF has not performed the sensitivity calculations requested in this interrogatory and therefore objects to the request for DEF to perform work that it has not previously done. Notwithstanding this objection, and without waiving same, DEF will provide a response to this interrogatory to the extent it can.

Interrogatory #11: With respect to the request for DEF to use the most recent or 2015 data, DEF has not performed this analysis and therefore objects to the request for DEF to perform work that it has not previously done. Notwithstanding this objection, and without

waiving same, DEF will provide a response to this interrogatory to the extent it can.

Interrogatory #20: With respect to the request for DEF to use the most recent or 2015 data, DEF has not performed this analysis and therefore objects to the request for DEF to perform work that it has not previously done. Notwithstanding this objection, and without waiving same, DEF will provide a response to this interrogatory to the extent it can.

Interrogatory #28.b.: DEF has not performed the “break-even” analysis requested in this interrogatory and therefore objects to the request for DEF to perform work that it has not previously done. Notwithstanding this objection, and without waiving same, DEF will provide a response to this interrogatory to the extent it can.

Respectfully submitted this 16th day of March, 2015.

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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 16th day of March, 2015.

/s/ Blaise N. Gamba

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