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September 8, 2015

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

Dear Ms. Stauffer:

RE: Docket No. 150001-EI

Attached herein are Gulf Power Company's Objections to Citizens' Fifth Set of Interrogatories (Nos. 58-71).

Sincerely,

A handwritten signature in blue ink that reads "Robert L. McGee, Jr." The signature is stylized and cursive.

Robert L. McGee, Jr.

md

Attachments

cc: Beggs & Lane
Jeffrey A. Stone

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Fuel and purchased power cost
recovery clause and generating performance
incentive factor

Docket No. 150001-EI
Dated: September 8, 2015

_____)
**GULF POWER COMPANY'S OBJECTIONS TO CITIZENS' FIFTH
INTERROGATORIES TO GULF POWER (NOS. 58-71)**

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 Florida Citizens' ("OPC") Fifth Interrogatories to Gulf Power Company (Nos. 50-57, and respectively, and together "the Requests") and states as follows:

GENERAL OBJECTIONS

With respect to any "Definitions" and "Instructions" in OPC'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 OPC'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. Gulf objects to any request that calls for Gulf to perform analyses that it has not otherwise performed 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 OPC'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 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 OPC'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 OPC'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

Interrogatories 61-68: Gulf objects to these interrogatories on the grounds that they seek information which is not relevant and which is not reasonably calculated to lead to the discovery of admissible evidence. The information requested in these interrogatories is beyond the scope of the issues to be resolved in this proceeding. Much of the information sought is for time periods beyond what is at issue in the instant docket. Gulf further objects to these interrogatories on the basis that they are overly burdensome in that they request Gulf to perform analyses that it has not otherwise performed and would not normally perform in the ordinary course of its business. Certain requested information is not available and cannot be provided.

Respectfully submitted this 8th day of September, 2015.



JEFFREY A. STONE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: **Fuel and Purchased Power Cost**)
Recovery Clause with Generating)
Performance Incentive Factor)

Docket No.: **150001-EI**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 8th day of September, 2015 to the following:

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