

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate by Duke Energy Florida, LLC

Docket No. 20170272-EI

Dated: June 27, 2018

DUKE ENERGY FLORIDA, LLC'S OBJECTIONS TO THE OFFICE OF PUBLIC COUNSEL'S SECOND SET OF INTERROGATORIES (NOS. 51-64) AND SECOND REQUEST TO PRODUCE DOCUMENTS (NOS. 11-15)

Pursuant to Order No. PSC-2018-0082-PCO-EI, the Order Establishing Procedure ("OEP") and PSC-2018-0127-PCO-EI, the First Order Modifying Order Establishing Procedure, Rule 28-106.206, Florida Administrative Code ("F.A.C."), and Rule 1.340, Florida Rules of Civil Procedure, Duke Energy Florida, LLC ("DEF") hereby serves its objections to the Office of Public Counsel's ("OPC") Second Set of Interrogatories (Nos. 51-64) and Second Request to Produce Documents (11-15) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's Second Set of Interrogatories and Second Request to Produce Documents, DEF objects to any definitions or instructions that are inconsistent with DEF's discovery obligations under applicable rules. If some question arises as to DEF's discovery obligations, DEF will comply with applicable rules and not with any of OPC's definitions or instructions that are inconsistent with those rules. Furthermore, DEF objects to any interrogatory or document request that calls for DEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

DEF objects to any definition or interrogatory or document request that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

Additionally, DEF generally objects to OPC's interrogatories or document requests to the extent that they call for data or 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.

Finally, DEF objects to any attempt by OPC to evade any numerical limitations set on interrogatories by asking multiple independent questions within single individual questions and subparts. By making these general objections at this time, DEF does not waive or relinquish its right to assert additional general and specific objections to OPC as they become known.

Interrogatories 60-62: DEF objects to these requests because they seek information that is not within DEF's knowledge, custody, or control. Neither the Florida Rules of Civil Procedure nor the OEP in this docket require DEF to provide information that is not within DEF's knowledge, custody or control, or otherwise on behalf of a third party (such as Accenture). To the extent DEF has any specific knowledge responsive to the foregoing requests, DEF will provide a response as appropriate.

Request for Production, No. 15: DEF objects to this request because it seeks information that is not within DEF's knowledge, custody, or control. Neither the Florida Rules of Civil Procedure nor the OEP in this docket require DEF to provide information that is not within DEF's knowledge, custody or control, or otherwise on behalf of a third party (such as Accenture). To the extent DEF has any specific knowledge responsive to this request, DEF will provide a response as appropriate.

Respectfully submitted,

/s/ Matthew R. Bernier

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CERTIFICATE OF SERVICE (Dkt. No. 20170272-EI)

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by electronic mail this 27th day of June, 2018, to all parties of record as indicated below.

/s/ Matthew R. Bernier

Attorney

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