

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Prudence Review to
 Determine Regulatory Treatment
 of Tampa Electric Company's
 Polk Unit.

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)
) Docket No. 960409-EI
) Filed: July 8, 1996
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)

OBJECTIONS TO TAMPA ELECTRIC'S FIRST SET
 OF INTERROGATORIES TO OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of
 Public Counsel, pursuant to Rule 1.340, Florida Rules of Civil
 Procedure; Rule 25-22.034, Florida Administrative Code; and Order
 No. PSC-96-0567-PCO-EI object to Interrogatories Nos. 1-4 of Tampa
 Electric Company's First Set of Interrogatories to Office of Public
 Counsel, served by hand-delivery on June 28, 1996, for the
 following reasons:

ACK _____ 1. Order No. 96-0567, the order establishing procedure in
 AFA 1 this docket, provided that discovery responses be filed within 20
 APP _____ days of service, that objections be served within 10 days, and that
 CAF _____ discovery be completed by July 10, 1996. Tampa Electric's interrog-
 CMU _____ atories are untimely because the responses would not be due until
 CTR _____
 EAG *Duffy* July 18, 1996.
 LEG 1

LIN 5 2. Interrogatory #2 asks for copies of all orders of any
 OPC _____ judicial body or regulatory commission where Public Counsel's
 RCH _____ witness, Mr. Larkin's, testimony was referenced. Interrogatory #4
 SEC 1 asks for copies of each decision in the cases referenced by Mr.
 WAS _____ Larkin at page 1 of his prefled testimony where the subject matter
 OTH _____ of his testimony was addressed directly or indirectly by the trier
 of fact. These requests are unduly burdensome because they would

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require extensive research of state and federal regulatory and judicial decisions which could as easily be performed by Tampa Electric. The mere fact that Mr. Larkin prefiled testimony for the Citizens does not make this an easier task for Public Counsel than it would be for Tampa Electric. This information is not in Public Counsel's possession, nor is it in Mr. Larkin's possession. Mr. Larkin's office does not always receive copies of the orders in the cases in which he testifies, and he does not generally retain those which he has received.


3. Interrogatory #3 asks for copies of all testimony submitted by Mr. Larkin in each of the cases referenced in his testimony at page 1. The approximately 250 cases in which Mr. Larkin has testified are listed in the appendix to his prefiled testimony. Many of these cases involved water and/or sewer utilities, telephone companies or gas companies. Such testimony is not relevant to this proceeding nor likely to lead to the discovery of admissible evidence. Providing copies of all this testimony would be unduly burdensome. However, if Tampa Electric identifies a reasonable number of cases (i.e., 15-20) for which it would like to receive copies of testimony, copies of the selected testimonies will be provided. Alternatively, all the testimonies can be made available for review in Mr. Larkin's offices during normal business hours upon reasonable notice.

4. Notwithstanding, and without waiving, these objections, Public Counsel will work with attorneys for Tampa Electric to try to reach an agreement for providing relevant information in the

possession of Public Counsel or Mr. Larkin to Tampa Electric
consistent with the schedule for this docket.

Respectfully submitted,

JACK SHREVE
Public Counsel


John Roger Howe
Deputy Public Counsel

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CERTIFICATE OF SERVICE
Docket No. 960409-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing
OBJECTIONS TO TAMPA ELECTRIC'S FIRST SET OF INTERROGATORIES TO
OFFICE OF PUBLIC COUNSEL has been furnished by U.S. Mail or by
hand-delivery (*) to the following parties on this 8th day of July,
1996:

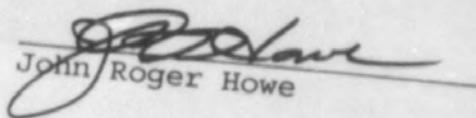
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