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Subject: Docket No.: 120001-EI
Attachments: PEF's Objections to FIPUG's 1st Set of Rogs (Nos. 1-12).pdf; PEF's Objections to FIPUG's 1st POD (Nos. 1-5).pdf

This electronic filing is made by:

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Docket No.: 120001-EI

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

On behalf of Progress Energy Florida

The attached documents for filing are:

1. PEF's Objections to FIPUG's First Request for Production of Documents (Nos. 1-5) (consisting of 3 pages)
2. PEF's Objections to FIPUG's First Set of Interrogatories (Nos. 1-12) (consisting of 3 pages)

4/17/2012

02351 APR 17 2012
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor.

Docket No. 120001-EI

Submitted for Filing: April 17, 2012

**PEF'S OBJECTIONS TO FIPUG'S
FIPUG'S FIRST SET OF INTERROGATORIES (Nos. 1-12)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Florida Industrial Power Users Group's ("FIPUG") First Set of Interrogatories (Nos. 1-12) and states as follows:

GENERAL OBJECTIONS

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

PEF objects to any definition or interrogatory 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, PEF generally objects to FIPUG's interrogatories 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, PEF objects to any attempt by FIPUG to evade any numerical limitations set on interrogatories for production of documents by asking multiple independent questions within single

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individual questions and subparts. By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to FIPUG's discovery at the time PEF's response is due.

SPECIFIC OBJECTIONS

Interrogatories 3, 5, 9 & 10: In addition to and without waiving the general objections outlined above, PEF objects to FIPUG's Interrogatories No. 3, 5, 9 & 10 because the data requested for periods prior to 2011 is not at issue in the 2012 docket.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 17th day of April, 2012 to all parties of record as indicated below:



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