

Dorothy Menasco

From: White, Karen S Civ USAF AFLOA JAACL/ULT [Karen.White@tyndall.af.mil]
Sent: Wednesday, July 11, 2012 4:19 PM
To: Filings@psc.state.fl.us
Cc: Rhonda Dulgar; Keino Young; John.Butler@fpl.com; kwiseman@andrewskurth.com; wrappolt@andrewskurth.com; lpurdy@andrewskurth.com; kelly.jr@leg.state.fl.us; mcglathlin.joseph@leg.state.fl.us; Rehwinkel.charles@leg.state.fl.us; Christensen.Patty@leg.state.fl.us; Noriega.tarik@leg.state.fl.us; Merchant.Tricia@leg.state.fl.us; Schef Wright; jwhendricks@sti2.com; saporit03@gmail.com; danlarson@bellsouth.net; bgarner@ngnlaw.com; barmstrong@ngnlaw.com; Paul.woods@algenol.com; Quang.ha@algenol.com; pat.ahlm@algenol.com; seahorseshores1@gmail.com; Vicki Kaufman; Jon Moyle; Meyer, Greg; Gorman, Mike; Wilhelms, Sally; Miller, Samuel T Capt USAF AFLOA JAACL/ULFSC
Subject: RE: Electronic Filing - Docket No. 120015-EI
Signed By: There are problems with the signature. Click the signature button for details.
Attachments: objection to FPL interrogatories.pdf



objection to
FPL interrogatori.

I noticed an error in the numbering of the Objection to Interrogatories and Production of Documents filed just moments ago. Please substitute the attached, corrected, document in place of what I just filed.

Thank you for your assistance.

Regards-
Karen

-----Original Message-----

From: White, Karen S Civ USAF AFLOA JAACL/ULT
Sent: Wednesday, July 11, 2012 3:09 PM
To: filings@psc.state.fl.us
Cc: 'Rhonda Dulgar'; kyoung@psc.state.fl.us; John.Butler@fpl.com; kwiseman@andrewskurth.com; wrappolt@andrewskurth.com; lpurdy@andrewskurth.com; kelly.jr@leg.state.fl.us; mcglathlin.joseph@leg.state.fl.us; Rehwinkel.charles@leg.state.fl.us; Christensen.Patty@leg.state.fl.us; Noriega.tarik@leg.state.fl.us; Merchant.Tricia@leg.state.fl.us; Schef Wright; jwhendricks@sti2.com; saporit03@gmail.com; danlarson@bellsouth.net; bgarner@ngnlaw.com; barmstrong@ngnlaw.com; Paul.woods@algenol.com; Quang.ha@algenol.com; pat.ahlm@algenol.com; seahorseshores1@gmail.com; Vicki Kaufman; Jon Moyle; 'Meyer, Greg'; 'Gorman, Mike'; 'Wilhelms, Sally'; Miller, Samuel T Capt USAF AFLOA JAACL/ULFSC
Subject: Electronic Filing - Docket No. 120015-EI

a. Person responsible for this electronic filing:
Karen S. White
USAF Utility Law Field Support Center
139 Barnes Drive
Tyndall AFB FL 32403

DOCUMENT NUMBER-DATE

04622 JUL 11 09

FPSC-COMMISSION CLERK

850-283-6348

Karen.white@tyndall.af.mil

b. 120015-EI

In Re: Petition for Increase in Rates by Florida Power & Light Company.

c. Document being filed on behalf of the Federal Executive Agencies.

d. There are a total of 5 pages.

e. The document attached for electronic filing is the Federal Executive Agencies' Objections to Florida Power & Light Company's Second Set of Interrogatories (No. 6) and Second Request for Production of Documents (No. 4).

(see attached file: Objection to FPL Inteerrogatories.pdf)

Thank you for your attention and assistance in this matter.

KAREN S. WHITE
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AFCESA/CENL
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850-283-6217
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida
Power & Light Company.

DOCKET NO. 120015-EI

FILED: July 11, 2012

**THE FEDERAL EXECUTIVE AGENCIES'
OBJECTIONS TO FLORIDA POWER AND LIGHT COMPANY'S
2nd SET OF INTERROGATORIES (NO. 6)
AND 2ND REQUEST FOR PRODUCTION OF DOCUMENTS (No. 3)**

Pursuant to Order No. PSC 12-0143-PCO-EI, the Federal Executive Agencies (FEA) submits the following Objections to Florida Power & Light Company's (FPL) Second Set of Interrogatories (No 6) and Production of Documents (No. 3) .

I. General Objections

FEA asserts the following general objections to FPL's Second Set of Interrogatories (No. 6) and Request for Production of Documents. Each of FEA's objections will be subject to and qualified by these general objections:

1. FEA objects to each and every individual discovery request, to the extent it calls 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, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. FEA in no way intends to waive any such privilege or protection.

2. FEA objects to each individual request to the extent it requires production of information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. FEA in no way intends to waive claims of confidentiality.

3. FEA objects to an definitions or instructions accompanying the discovery requests to the extent that they are inconsistent with and expand the scope of discovery specified in the Florida Rules of Civil Procedure that are incorporated into the Model Rule of Procedure or the Commission's rules on discovery. If some question arises as to FEA's discovery obligations, FEA will comply with applicable rules and not with any of the definitions or instructions accompanying the discovery requests that are inconsistent with or exceed the requirements of those rules. Furthermore, FEA objects to any discovery request that calls for FEA to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

4. FEA objects to any definition or instruction in any discovery request that seeks interrogatory answers containing information from persons or entities who are not parties to this proceeding or that are not subject to discovery under applicable rules.

5. It is possible that not every relevant document may have been reviewed or considered in developing FEA's responses to the discovery request. Rather FEA will provide all the information that FEA obtained after a good faith, reasonable and diligent search conducted in connection with these discovery requests. To the extent that the discovery requests propose to require more, FEA objects to the requests individually and collectively on the grounds that compliance would impose an undue burden or expense on FEA.

6. FEA objects to each discovery request to the extent that it seeks information that is not relevant to the subject matter of this docket and is not reasonable calculated to lead to the discovery of admissible evidence.

7. FEA objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, burdensome, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests.

8. FEA expressly reserves and does not waive any objections it may have to the admissibility, authenticity or relevancy of the information provided in its responses to the subject discovery requests.

9. FEA objects to each and every request to the extent it seeks information for periods back to 1999 or earlier. Such information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, research about and collection of such information would be unduly burdensome.

10. FEA objects to any request that requires the creation of new data, documents or studies.

11. FEA objects to providing information already in the public record, that is as easily accessible to FPL as to FEA or that is already in FPL's possession.

12. FEA objects to every discovery request to the extent the information sought constitutes "trade secrets" which are privileged pursuant to sections 90-506 and 366.093(3)(a), Florida Statutes.

II. Specific Objections

INTERROGATORIES

13. FEA specifically objects to Interrogatory No. 6 which requires the disclosure of the payment amounts made to FEA expert consultants. Such information is irrelevant to the issues at hand in the case, and is not reasonably calculated to lead to the discovery of admissible evidence.

PRODUCTION OF DOCUMENTS

14. FEA specifically objects to Production Request No. 3 which requires the invoices of FEA's expert consultants. Such information is irrelevant to the issues at hand in the case, and is not reasonably calculated to lead to the discovery of admissible evidence

//signed//Karen S. White

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Attorney for Federal Executive Agencies

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and foregoing copy of THE FEDERAL EXECUTIVE AGENCIES' OBJECTIONS TO FLORIDA POWER AND LIGHT COMPANY'S 2ND SET OF INTERROGATORIES (NO. 6) AND 2ND REQUEST FOR PRODUCTION OF DOCUMENTS (No. 3) has been furnished by electronic mail on this 11th day of July, 2012, to the following:

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