

Eric Fryson

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Sent: Thursday, June 13, 2013 3:17 PM
To: Filings@psc.state.fl.us
Cc: 'Gamba, Blaise N.'; Rehwinkel, Charles; 'Dianne Triplett'; Sayler, Erik; 'F. Alvin Taylor'; 'James Brew'; 'John Burnett'; 'Jon C. Moyle Jr.'; Keino Young; 'Bernier, Matthew R.'; 'Schef Wright'; Michael Lawson; 'Walls, J. Michael'; 'Myndi Qualls'; 'Paul Lewis Jr.'; 'Schef Wright'; Lee Eng Tan; 'jcostello@carltonfields.com'; Sayler, Erik; Rehwinkel, Charles; Kelly, JR
Subject: Letter to Keino Young (Motion to Compel), 6.13.13
Attachments: Letter to Keino Young (Motion to Compel) 6.13.13.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Erik L. Sayler, Associate Public Counsel
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b. Docket No. 100437-EI

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of 2 pages.

e. The document attached for electronic filing is: Letter to Keino Young Motion to Compel, 6.13.13

Thank you for your attention and cooperation to this request.

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June 13, 2013

Keino Young, Esq.
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 100437-EI; Motion to Compel

Dear Mr. ^{Keino}Young:

I am writing to ask into whether the Commission Staff intends to file a Motion to Compel to obtain the documents which Duke Energy Florida identified but withheld in response to Staff's Fifth Request for Production. See attached Privilege Log.

Documents dated 6-7-12 and 1-31-13 are subject to motions to compel that have been filed or will be filed shortly. Documents dated 12-11-12, 8-27-12, and 10-30-12 are unique to Staff's Fifth Request for Production.

If Staff does not intend to seek to compel these documents responsive to Staff's discovery, please advise so the Public Counsel can take steps to move to compel these withheld documents.

Regards,

Erik L. Sayler
Associate Public Counsel

Enclosure

cc: parties of record; docket file

DOCUMENT NUMBER-DATE
03306 JUN 13 2013
FPSC-COMMISSION CLERK

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

Docket No. 100437-EI

PROGRESS ENERGY FLORIDA, INC.'S PRIVILEGE LOG

Bates No./ Request	Date	Author	Recipient	Description	Privilege
Staff's Fifth Request for Production No. 16	6/7/2012	Alex Glenn, Esq.	Management	CR3 Repair Legal Analysis PowerPoint presentation (contains attorney mental impressions)	Attorney Client Communication Attorney Work Product
13CNT-FPSCPOD5-16-000161 13CNT-FPSCPOD5-16-000162	12/11/2012	Lynn Good, Marc Manly, Esq., Dhiaa Jamil, Alex Glenn	Duke Energy Board	Portions of Crystal River 3 Update PowerPoint presentation (contains attorney mental impressions)	Attorney Client Communication Attorney Work Product
13CNT-FPSCPOD5-16-000126 13CNT-FPSCPOD5-16-0001127 13CNT-FPSCPOD5-16-000135	8/27-28/2012	Lynn Good, Marc Manly, Esq., Dhiaa Jamil, Alex Glenn, Esq.	Duke Energy Board	Portions of Crystal River 3 Analysis PowerPoint presentation (contains attorney mental impressions)	Attorney Client Communication Attorney Work Product
13CNT-FPSCPOD5-16-000144 13CNT-FPSCPOD5-16-000150	10/30/2012	Lynn Good, Marc Manly, Esq., Dhiaa Jamil, Alex Glenn	Duke Energy Board	Portions of Crystal River 3 Evaluation PowerPoint presentation (contains attorney mental impressions)	Attorney Client Communication Attorney Work Product
Staff's Fifth Request for Production No. 16	1/31/2013	Julie Janson, Esq.	Duke Energy Board	Crystal River 3 Legal Issues PowerPoint (containing attorney mental impressions)	Attorney Client Communication Attorney Work Product