

Shawna Senko

From: Mary Davis <MD@beggslane.com>
Sent: Thursday, September 26, 2013 3:52 PM
To: Filings@psc.state.fl.us
Cc: Caroline Klancke; Charles Guyton (cguyton@gunster.com); Charles Murphy; Charles Rehwinkel (Rehwinkel.Charles@leg.state.fl.us); Christopher Thompson (christopher.thompson.5@us.af.mil); Greg Meyer (gmeyer@consultbai.com); Gregory J. Fike, Lt Col. USAF; J. R. Kelly (kelly.jr@leg.state.fl.us); Jeffrey Stone; John LaVia (jlavia@gbwlegal.com); Jon Moyle (jmoyle@moylelaw.com); Joseph McGlothlin (mcglothlin.joseph@leg.state.fl.us); Karen A. Putnal kputnal@moylelaw.com; Martha Barrera; Rick Melson (rick@rmelsonlaw.com); Robert Scheffel Wright (schef@gbwlegal.com); Russell Badders; Steven R. Griffin; Suzanne Brownless; Thomas Jernigan (thomas.jernigan@us.af.mil)
Subject: E-Filing - Docket 130140-EI
Attachments: Objections to OPC 8th ROG.pdf

- A. Person responsible for this electronic filing:
Steven R. Griffin
Beggs & Lane
Post Office Box 12950
501 Commendencia Street
Pensacola, FL 32576-2950
(850)432-2451
srg@beggslane.com
- B. Docket No. 130140-EI –Petition for Rate Increase by Gulf Power Company
- C. Document being filed on behalf of Gulf Power Company
- D. Document consists of 6 pages.
- E. The document attached for electronic filing is Gulf Power Company's Objections to Citizens' Eighth Interrogatories to Gulf Power (Nos. 193-200)

Thank you for your attention and assistance in this matter.

Mary E. Davis

Assistant to Jeffrey A. Stone, Russell A. Badders,
And Steven R. Griffin
Beggs & Lane, RLLP
501 Commendencia Street
Pensacola, FL 32502
Phone: (850) 432-2451 | Fax: (850) 469-3331
md@beggslane.com | beggslane.com

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates by Gulf
Power Company.

Docket No. 130140-EI
Dated: September 26, 2013

**GULF POWER COMPANY'S OBJECTIONS TO CITIZENS' EIGHTH
INTERROGATORIES TO GULF POWER (NOS. 193-200)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Gulf Power Company ("Gulf") hereby serves its objections to Florida Citizens' ("OPC") Eighth Interrogatories to Gulf Power Company (Nos. 193-200, and respectively, and together "the Requests") and states as follows:

GENERAL OBJECTIONS

With respect to any "Definitions" and "Instructions" in OPC's Interrogatories, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of OPC's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for information that is not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery. Information of affiliated companies, including the Southern Company, that is directly relevant to Gulf's rate request, including information regarding transactions or cost allocations among Gulf and its affiliated companies may be provided, upon request. Otherwise, no responses to the requests will be made on behalf of persons or entities other than Gulf. Gulf objects to any request that calls for Gulf to perform analyses that it has not otherwise performed in support of its case and would not normally

perform in the ordinary course of its business because there is no such requirement under the applicable rules and law.

Additionally, Gulf generally objects to OPC's requests to the extent that they call 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. Gulf will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any request calls for the production of privileged or protected information.

Further, in certain circumstances, Gulf may determine upon investigation and analysis that information responsive to certain requests to which objections are not otherwise asserted is confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such a request, Gulf is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement, protective order, or the procedures otherwise provided by law or in the Order Establishing Procedure. Gulf hereby asserts its right to require such protection of any and all information that may qualify for protection under the Florida Rules of Civil Procedure, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

Gulf generally objects to OPC's interrogatories to the extent that they call for the production of documents on the ground that such a request is beyond the scope of Rule 1.340 of the Florida Rules of Civil Procedure.

By making these general objections at this time, Gulf does not waive or relinquish its right to assert additional general and specific objections to OPC's discovery at the time Gulf's

response is due under the Florida Rules of Civil Procedure and the Order Establishing Procedure. Gulf provides these general objections at this time to comply with the intent of the Order Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

OBJECTIONS

Interrogatory 196: Gulf objects to this interrogatory on the grounds that it is unduly burdensome and beyond the permissible scope of discovery. The interrogatory asks Gulf to provide pension assets and balances for a period spanning some 26 years, without regard for the multiple intervening rate cases where these balances have been reviewed and approved by the Commission. This detailed historic data, the provision of which would be costly and time-consuming, is not relevant to this proceeding or likely to lead to the discovery of evidence that is relevant to this proceeding.

Without waiving its objection, Gulf will provide the historic information requested back 5 years, from 2008-2012, the period Gulf considers reasonable.

Interrogatory 197: Gulf objects to this interrogatory on the grounds that it is unduly burdensome and beyond the permissible scope of discovery. The interrogatory asks Gulf to provide a variety of detailed pension related entries for a period spanning some 26 years, without regard for the multiple intervening rate cases. This detailed historic data, the provision of which would be costly and time-consuming, is not relevant to this proceeding or likely to lead to the discovery of evidence that is relevant to this proceeding.

Without waiving its objection, Gulf will provide the historic information requested back 5 years, from 2008-2012, the period Gulf considers reasonable.

Interrogatory 198: Gulf objects to this interrogatory on the grounds that it is unduly burdensome and beyond the permissible scope of discovery. The interrogatory asks Gulf to provide a variety of detailed pension related entries for a period spanning some 26 years, without regard for the multiple intervening rate cases. This detailed historic data, the provision of which would be costly and time-consuming, is not relevant to this proceeding or likely to lead to the discovery of evidence that is relevant to this proceeding.

Without waiving its objection, Gulf will provide the historic information requested back 5 years, from 2008-2012, the period Gulf considers reasonable.

Interrogatory 199: Gulf objects to this interrogatory on the grounds that it is unduly burdensome and beyond the permissible scope of discovery. The interrogatory asks Gulf to provide pension related information from rate cases spanning some 26 years. Moreover, the information requested is every bit as easy for OPC to obtain from the Commission as it would be for Gulf to obtain. This detailed historic data is not relevant to this proceeding or likely to lead to the discovery of evidence that is relevant to this proceeding.

Without waiving its objection, Gulf will provide the historic information for rate cases that impact the last 5 years, from 2008-2012, the period Gulf considers reasonable.

Respectfully submitted this 26th day of September, 2013.

JEFFREY A. STONE
Florida Bar No. 325953
RUSSELL A. BADDERS
Florida Bar No. 007455
STEVEN R. GRIFFIN
Florida Bar No. 627569
Beggs & Lane
P. O. Box 12950
501 Commendencia Street
Pensacola, FL 32576-2950
(850) 432-2451

CHARLES A. GUYTON
Florida Bar No. 398039
Gunster, Yoakley & Stewart, P.A.
215 South Monroe Street, Suite 618
Tallahassee, FL 32301
(850) 521-1980

RICHARD D. MELSON
Florida Bar No. 201243
705 Piedmont Drive
Tallahassee, FL 32312
(850) 894-1351
Attorneys for Gulf Power Company

BY: s/ Steven R. Griffin
Steven R. Griffin
Fla. Bar No. 627569

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 26th day of September, 2013 to all counsel of record as indicated below:

Office of Public Counsel
J. R. Kelly/Joseph A. McGlothlin
c/o The Florida Legislature
111 W. Madison Street,
Room 812
Tallahassee, FL 32393-1400
Kelly.jr@leg.state.fl.us
mcglothlin.joseph@leg.state.fl.us

Florida Industrial Power
Users Group
Jon C. Moyle, Jr.
Karen A. Putnal
Moyle Law firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32301
jmoyle@moylslaw.com
kputnal@moylslaw.com

Gunster Law Firm
Charles A. Guyton
215 S. Monroe St.,
Suite 618
Tallahassee, FL 32301
cguyton@gunster.com

Martha Barrera/Martha C. Brown/
Suzanne Brownless
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850
mbarrera@psc.state.fl.us
mbrown@psc.state.fl.us
sbrownle@psc.state.fl.us

Federal Executive Agencies
Maj Christopher Thompson
Lt Col Gregory J. Fike
AFLOA/JACL-ULFSC
139 Barnes Drive, Suite 1
Tyndall AFB, Florida 32403
Christopher.Thompson.5@us.af.mil
gregory.fike@us.af.mil

Richard Melson
705 Piedmont Drive
Tallahassee, FL 32312
rick@rmelsonlaw.com

Wal-Mart Stores East. L.P. and
Sam's East, Inc.
c/o Robert Scheffel Wright
John T. La Via, III
Gardner Bist Law Firm
1300 Thomaswood Drive
Tallahassee, Florida 32308
scheffl@gbwlegal.com
jlavia@gbwlegal.com

BY: s/ Steven R. Griffin
Steven R. Griffin
Fla. Bar No. 627569