

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination
of Cost Effective Generation Alternative
to Meet Need Prior to 2018, by Duke
Energy Florida, Inc.

Docket No. 140111-EI

Served: July 11, 2014

**NRG FLORIDA LP'S
OBJECTIONS TO DUKE ENERGY FLORIDA, INC.'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-5)**

Pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.340, Florida Rules of Civil Procedure ("F.R.C.P."), and the Orders Establishing Procedure in this docket, NRG Florida LP ("NRG") hereby objects to Duke Energy Florida, Inc.'s ("DEF") above-referenced document requests, which were served on NRG by email after close of business on July 2, 2014.

GENERAL OBJECTIONS

NRG objects to DEF's First Request for Production of Documents as follows:

1. NRG objects to any request that seeks information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other 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.
2. NRG objects to any request that seeks confidential proprietary business information.
3. NRG objects to any definition or instruction that is inconsistent with or beyond the scope of discovery specified in the Florida Rules of Civil Procedure, the Model Rules of Procedure or the Commission ' s rules on discovery.
4. NRG objects to requests that instruct NRG to identify "all" documents or information of any nature. It is possible that not every relevant document may have been

reviewed or considered in developing NRG's responses to the discovery requests. NRG will provide all information that NRG obtained after a good faith, reasonable and diligent search in response to these document requests.

5. NRG objects to each request that seeks information that is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence.

6. NRG objects to each 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. NRG 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 document requests.

7. NRG objects to providing information already in the public record, that is as easily accessible to DEF, or that is already in DEF's possession.

SPECIFIC OBJECTIONS

DEF's Request for Production of Documents Nos. 2, 3, 4, and 5 to NRG seek production of the following documents:

2. The work papers, spreadsheets, documents, electronic files, or other materials referred to and/or relied upon by the witness in the course of preparing his/her testimony in this proceeding, or that the witness will rely on in the course of preparing his/her testimony in this proceeding.
3. Workpapers, documents, spreadsheets, data, on disk if available, used by the witness in the development of exhibits to his/her testimony, or that the

witness will rely on in the course of preparing exhibits to his/her testimony in this proceeding.

4. Source documents (including inputs and outputs as applicable) used to create the exhibits to the witness' testimony, or that the witness will rely on in the course of preparing the exhibits to his/her testimony in this proceeding.
5. Documents identified in response to DEF's First Set of Interrogatories to NRG.

NRG objects to each of the above requests to the extent that it seeks information regarding from NRG's expert witnesses beyond that authorized by Rule 1.280, Fla. R.Civ.P.

Respectfully submitted this 11th day of July, 2014.

/s/ Marsha E. Rule

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ATTORNEYS FOR NRG FLORIDA LP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail this 11th day of July, 2014:

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