

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Energy Conservation Cost Recovery)
 Clause.)
_____)
 FILED: September 29, 2014

**DUKE ENERGY FLORIDA, INC.’S
OBJECTIONS TO CITIZENS’
FIRST SET OF INTERROGATORIES (NOS. 1-2)**

Pursuant to Fla. Admin. Code R. 28-106.206, and Rule 1.340 of the Florida Rules of Civil Procedure, Duke Energy Florida, Inc. (“DEF”) hereby serves its objections to Citizens’ First Set of Interrogatories (Nos. 1-2) to DEF and states as follows:

GENERAL OBJECTIONS

With respect to the “Definitions” and “Instructions” in Citizens’ (“OPC”) First Set of Interrogatories (Nos. 1-2) to Duke Energy Florida, Inc., DEF objects to any definitions or instructions that are inconsistent with DEF’s discovery obligations under applicable rules. If some question arises as to DEF’s discovery obligations, DEF will comply with applicable rules and not with any of OPC’s definitions or instructions that are inconsistent with those rules.

Furthermore, DEF objects to any interrogatory that calls for DEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

DEF 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.

DEF also objects to any Interrogatory or Request for Production that purports to require DEF or its experts to prepare studies, analyses, or to do work for OPC that has not been done for DEF, presumably at DEF’s cost.

Additionally, DEF generally objects to OPC's First Set of Interrogatories (No. 1) to DEF, 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.

DEF also objects to any attempt by OPC to evade the numerical limitations set on interrogatories in the Order Establishing Procedure by asking multiple independent questions within single individual questions and subparts.

Finally, DEF reserves the right to supplement any of its responses to OPC if DEF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if DEF later discovers additional responsive information in the course of this proceeding.

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

SPECIFIC OBJECTIONS

REQUEST 1: DEF objects to this interrogatory to the extent it requires DEF to perform work for OPC, presumably at DEF's expense, that it has not previously performed or had performed on its behalf. DEF does not have the obligation to do such work under the Rules or the Order Establishing Procedure. Notwithstanding this objection, DEF will provide a narrative response to this question.

Submitted this 29th day of September, 2014.

/s/ Dianne M. Triplett
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on the following via electronic mail this 29th day of September, 2014.

/s/ Dianne M. Triplett

Attorney

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