



May 21, 2024

**ELECTRONIC FILING**

Mr. Adam J. Teitzman, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

In re: Petition for Rate Increase by Tampa Electric Company

DOCKET NO. 20240026-EI

In re: Petition for approval of 2023 Depreciation and  
Dismantlement Study, by Tampa Electric Company

DOCKET NO. 20230139-EI

In re: Petition to implement 2024 Generation Base Rate  
Adjustment provisions in Paragraph 4 of the 2021 Stipulation  
and Settlement Agreement, by Tampa Electric Company

DOCKET NO. 20230090-EI

Dear Mr. Teitzman:

Attached for filing in the above-referenced docket is Tampa Electric Company's Response to Citizen's Expedited Motion to Enlarge Discovery.

Sincerely,

J. Jeffrey Wahlen

cc: all parties of record (with attachment)

JJW/ne  
Attachment

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa Electric Company	DOCKET NO. 20240026-EI
In re: Petition for approval of 2023 Depreciation and Dismantlement Study, by Tampa Electric Company	DOCKET NO. 20230139-EI
In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company	DOCKET NO. 20230090-EI
	FILED: May 21, 2024

**TAMPA ELECTRIC COMPANY’S RESPONSE TO  
CITIZENS’ EXPEDITED MOTION TO ENLARGE DISCOVERY**

Pursuant to Rule 28-106.204, Florida Administrative Code, Tampa Electric Company (“Tampa Electric” or the “company”), files this Response to Citizens’ Expedited Motion to Enlarge Discovery [DN 03292-2024] (“Motion”), and states:

1. In its Motion, the Office of Public Counsel seeks to increase the number of interrogatories with subparts it can serve on Tampa Electric in this docket from the 500 authorized in the Order Establishing Procedure (“OEP”) to 1,000 and states that this case is an “evolving, complex matter” that requires a higher interrogatory cap.

2. In another pending rate case, OPC requested that the interrogatory cap be increased to at least 1,000 for a variety of reasons, including the fact that the request in that case includes three projected test years and is “an evolving, complex” case. [DN 02556-2024, at ¶¶ 13, 17] The prehearing officer in that docket granted OPC’s request. *See* Order No. PSC-2024-0145-PCO-EI, issued May 7, 2024 in Docket No. 20240025-EI [DN 02827-2024].

3. Like the petition Tampa Electric filed in 2021, the petition in this docket involves

one test year and two proposed subsequent year adjustments, so the basic construct of this case is not new or unique.

4. OPC correctly notes in paragraph 9 of its motion that Tampa Electric's customers ultimately bear the cost of discovery in a rate case, which is exactly the point and is why Tampa Electric believes that the Commission should exercise its considerable discretion on discovery matters like this to enlarge the total number of interrogatories including subparts for OPC to no more than 750 to 800.

DATED this 21st day of May, 2024.

Respectfully submitted,



J. JEFFRY WAHLEN

[jwahlen@ausley.com](mailto:jwahlen@ausley.com)

MALCOLM N. MEANS

[mmeans@ausley.com](mailto:mmeans@ausley.com)

VIRGINIA L. PONDER

[vponder@ausley.com](mailto:vponder@ausley.com)

Ausley McMullen

Post Office Box 391

Tallahassee, Florida 32302

(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC  
COMPANY

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 21st day of May, 2024 to the following:

Adria Harper  
Carlos Marquez  
Timothy Sparks  
Daniel Dose  
Florida Public Service Commission/OGC  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
[aharper@psc.state.fl.us](mailto:aharper@psc.state.fl.us)  
[cmarquez@psc.state.fl.us](mailto:cmarquez@psc.state.fl.us)  
[tsparks@psc.state.fl.us](mailto:tsparks@psc.state.fl.us)  
[ddose@psc.state.fl.us](mailto:ddose@psc.state.fl.us)  
[discovery-gcl@psc.state.fl.us](mailto:discovery-gcl@psc.state.fl.us)

Walt Trierweiler  
Patricia Christensen  
Octavio Ponce  
Charles Rehwinkel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
[trierweiler.walt@leg.state.fl.us](mailto:trierweiler.walt@leg.state.fl.us)  
[christensen.patty@leg.state.fl.us](mailto:christensen.patty@leg.state.fl.us)  
[ponce.octavio@leg.state.fl.us](mailto:ponce.octavio@leg.state.fl.us)  
[Rehwinkel.Charles@leg.state.fl.us](mailto:Rehwinkel.Charles@leg.state.fl.us)

Bradley Marshall  
Jordan Luebke  
Earthjustice  
111 S. Martin Luther King Jr. Blvd.  
Tallahassee, FL 32301  
[bmarshall@earthjustice.org](mailto:bmarshall@earthjustice.org)  
[jluebke@earthjustice.org](mailto:jluebke@earthjustice.org)

Nihal Shrinath  
2101 Webster Street, Suite 1300  
Oakland, CA 94612  
[nihal.shrinath@sierraclub.org](mailto:nihal.shrinath@sierraclub.org)

Jon Moyle  
Karen Putnal  
c/o Moyle Law Firm  
118 N. Gadsden Street  
Tallahassee, FL 32301  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)  
[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)  
[mqualls@moylelaw.com](mailto:mqualls@moylelaw.com)

Leslie R. Newton, Maj. USAF  
Ashley N. George, Capt. USAF  
AFLOA/JAOE-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[Leslie.Newton.1@us.af.mil](mailto:Leslie.Newton.1@us.af.mil)  
[Ashley.George.4@us.af.mil](mailto:Ashley.George.4@us.af.mil)

Thomas A. Jernigan  
AFCEC/JA-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[thomas.jernigan.3@us.af.mil](mailto:thomas.jernigan.3@us.af.mil)

Ebony M. Payton  
AFCEC-CN-ULFSC  
139 Barnes Drive, Suite 1  
Tyndall Air Force Base, Florida 32403  
[Ebony.Payton.ctr@us.af.mil](mailto:Ebony.Payton.ctr@us.af.mil)

Mr. Robert Scheffel Wright  
John LaVia, III  
Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, FL 32308  
[shef@gbwlegal.com](mailto:shef@gbwlegal.com)  
[jlavia@gbwlegal.com](mailto:jlavia@gbwlegal.com)

Sari Amiel  
Sierra Club  
50 F. Street NW, Eighth Floor  
Washington, DC 20001  
[sari.amiel@sierraclub.org](mailto:sari.amiel@sierraclub.org)

Hema Lochan  
Earthjustice  
48 Wall St., 15th Fl  
New York, NY 10005  
(212) 284-8021  
[hlochan@earthjustice.org](mailto:hlochan@earthjustice.org)  
[flcaseupdates@earthjustice.org](mailto:flcaseupdates@earthjustice.org)



---

ATTORNEY