

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

SERVED: June 13, 2024

CITIZENS' RESPONSE TO TAMPA ELECTRIC COMPANY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-7)

The Citizens of the State of Florida, (OPC) by and through Walt Trierweiler, Public Counsel, by the requirements set forth in the Commission Order No. PSC-2024-0096-PCO-EI, Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, submit the following response to the First Request for Production of Documents (Nos. 1-7) propounded by Tampa Electric Company on May 17, 2024.

GENERAL OBJECTIONS

- A. By making these general objections at this time, Citizens do not waive or relinquish its right to assert additional general and/or specific objections to Staff's discovery.
- B. With respect to the "Definitions" and "Instructions" in the requests, Citizens object to any definitions or instructions that are inconsistent with Citizens' discovery obligations under applicable rules and/or the order establishing procedure. If some question arises as to Citizens' discovery obligations, Citizens will comply with applicable rules and/or order and not with the definitions or instructions herein that are inconsistent with those rules.

- C. Citizens object to each and every request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests.
- D. Citizens object to each and every request to the extent it is unduly burdensome.
- E. Citizens object to each and every request to the extent it would require Citizens and/or its consultants to perform a new study or analysis, or to do work that has not been done for Citizens.
- F. Citizens object to each and every request to the extent it requires information prepared in anticipation of litigation or hearing, for data or information protected by the attorney-client privilege, the work product privilege, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law.
- G. Citizens object to each and every request to the extent requires disclosure of the Public Counsel's deliberative process and internal reviews to determine what if any issues to litigate or protest in any case. The Public Counsel's decision-making and grant of discretion to take any position he deems in the public interest is not subject to review or an issue in this case. Thus, any such request is not relevant nor can it be reasonably calculated to lead to the discovery of admissible evidence.
- H. Citizens reserve the right to supplement any of its responses if Citizens cannot locate the answers immediately; if supplementation is necessary due to their magnitude and the work required to aggregate them; or if Citizens later discover additional responsive information in the course of this proceeding.
- I. By making these responses herein, Citizens do not concede that any request is relevant to this action or is reasonably calculated to lead to the discovery of admissible evidence. Citizens

expressly reserve the right to object to further discovery into the subject matter of any of these requests, to the introduction of evidence of any response or portion thereof, and to supplement its responses should further investigation disclose responsive information.

- J. In responding to these discovery request, Citizens have made a reasonable inquiry of those persons likely to possess information responsive thereto and has conducted a reasonable search of those records in Citizens' possession, custody, or control where the requested information would likely be maintained in the ordinary course of business. To the extent that the requests ask Citizens to go to greater lengths, Citizens object because such requests are overly broad, unduly burdensome, and unreasonable.
- K. Citizens object to providing responsive documents to the extent that such documents are in the public record, including documents filed by Citizens in any matter before the Florida Public Service Commission and available to Staff.
- L. In responding to these Requests, Citizens do not waive the foregoing objections, or the specific objections that are set forth in the responses to particular requests.
- M. Any responses provided by Citizens are provided subject to, and without waiver of, the foregoing objection.

DOCUMENTS REQUESTED

1. With respect to each witness who has filed testimony on behalf of OPC as of the date of production specified above, please produce the following in hard copy and to the extent it exists in the following format, in EXCEL or EXCEL compatible format with all formulae intact and unlocked:
- (a) Copies of all testimonies and exhibits submitted by the witness in utility regulatory proceedings in Florida and in all other regulatory jurisdictions from January 1, 2021 to date.

OPC Response:

<u>David Dismukes, Ph.D.</u>	Please see Bates Stamps (BS) No. 1A-000001-000941.
<u>Lane Kollen</u>	Please see Bates Stamps (BS) No. 1A-000942-000043.
<u>Kevin Mara, P.E.</u>	Please see Bates Stamps (BS) No. 1A-000944.
<u>Bion Ostrander</u>	Please see Bates Stamps (BS) No. 1A-000945-001168.
<u>J. Randall Woolridge, Ph.D.</u>	Please see Bates Stamps (BS) No. 1A-001169-009241

- (b) Copies of all workpapers, calculations, spreadsheets, computer models, computer programs and other materials prepared by, for or on behalf of the witness, or otherwise relied upon by the witness, that support the witness's

testimony in this proceeding and all of such documents that support the conclusions or recommendations contained in such testimony.

OPC Response:

<u>David Dismukes, Ph.D.</u>	Please see Bates Stamps (BS) No. 1B-009242-009248
<u>Lane Kollen</u>	Please see Bates Stamps (BS) No. 1B-009249-009250
<u>Kevin Mara, P.E.</u>	Please see Bates Stamps (BS) No. 1B-009251-009252
<u>Bion Ostrander</u>	Please see Bates Stamps (BS) No. 1B-009253-009558
<u>J. Randall Woolridge, Ph.D.</u>	Please see Bates Stamps (BS) No. 1B-009559-009621

- (c) Copies of all decisions and orders of regulatory agencies from January 1, 2021 to date referring to testimony presented, or positions taken by the witness in the proceeding that gave rise to such decision or order.

OPC Response:

<u>David Dismukes, Ph.D.</u>	Please refer to the direct testimony filed on June 6, 2024 for the identification of all decisions and order relied on in this proceeding. To the best our knowledge, these decision(s) and order(s) are publically available at the state and federal agency websites and/or court websites. Please see Bates Stamps (BS)No. 1C-009622-015542
<u>Lane Kollen</u>	Please refer to the direct testimony filed on June 6, 2024 for the identification of all decisions and order relied on in this proceeding. To the best our knowledge, these decision(s) and order(s) are publically available at the state and federal agency websites and/or court websites.

	Please see Bates Stamps (BS) No. 1C-015543
<u>Kevin Mara, P.E.</u>	Please refer to the direct testimony filed on June 6, 2024 for the identification of all decisions and order relied on in this proceeding. To the best our knowledge, these decision(s) and order(s) are publically available at the state and federal agency websites and/or court websites.
<u>Bion Ostrander</u>	Please refer to the direct testimony filed on June 6, 2024 for the identification of all decisions and order relied on in this proceeding. To the best our knowledge, these decision(s) and order(s) are publically available at the state and federal agency websites and/or court websites. Please see Bates Stamps (BS)1C-015544
<u>J. Randall Woolridge, Ph.D.</u>	Please refer to the direct testimony filed on June 6, 2024 for the identification of all decisions and order relied on in this proceeding. To the best our knowledge, these decision(s) and order(s) are publically available at the state and federal agency websites and/or court websites.

- (d) Copies of any published articles, treaties, or other documents referenced in the testimony of any of OPC’s witnesses who filed testimony as of the date of production specified above, except any documents produced by Tampa Electric to OPC in response to a discovery request from OPC.

OPC Response:

<u>David Dismukes, Ph.D.</u>	Please see Bates Stamps (BS) 1D-015545-016099
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<u>Lane Kollen</u>	None, except for excerpts of documentation reproduced as exhibits or for which links to websites were provided in testimony.
<u>Kevin Mara, P.E.</u>	None
<u>Bion Ostrander</u>	None
<u>J. Randall Woolridge, Ph.D.</u>	Please see Bates Stamps (BS) 1D-016100-021144

2. Provide complete copies of all documents, data and other information requested formally or informally by any Party to OPC in this proceeding, including the Commission Staff, identifying material by reference to the original request from the Party or Commission Staff.

OPC Response:

OPC is not aware of any information responsive to this request.

3. With respect to any testimony filed in this proceeding as of the production date specified above addressing jurisdictional separation, class cost of service or rate design issues, provide a working copy of any jurisdictional and class cost-of-service studies utilized by the OPC witness to support that testimony in this proceeding in hard copy and in EXCEL or EXCEL compatible format with all formulae intact and unlocked.

OPC Response:

OPC has no information responsive to this request.

4. With respect to any testimony filed in this proceeding as of the production date specified above addressing jurisdictional separation, class cost of service or rate design issues, provide a copy of all documents referenced in that testimony not otherwise provided as a separate exhibit to the testimony.

OPC Response:

OPC has no information responsive to this request.

5. With respect to any testimony filed in this proceeding as of the production date specified above proceeding addressing jurisdictional separation, class cost of service or rate design issues, provide a copy of all work papers underlying that testimony in hard copy and in EXCEL or EXCEL compatible format (if such format is relevant to such work papers), with all formulae intact and unlocked.

OPC Response:

OPC has no information responsive to this request.

6. With respect to any testimony filed in this proceeding as of the production date specified above addressing jurisdictional separation or class cost of service issues, provide a copy of all documents reviewed by the witness in reaching any conclusions that witness proposes regarding the Commission adopting a particular cost of service methodology or rejecting the company's proposed cost of service methodology in this proceeding.

OPC Response:

OPC has no information responsive to this request.

7. With respect to any testimony filed in this proceeding as of the production date specified above addressing rate design issues, provide a copy of all documents reviewed by the witness in reaching any conclusions that witness proposes regarding the Commission adopting a particular rate design or rejecting the company's proposed rate design in this proceeding.

OPC Response:

OPC has no information responsive to this request.

Dated this 13th day of June, 2024.

Respectfully submitted,

Walt Trierweiler
Public Counsel

/s/Patricia A. Christensen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that electronic copies of the foregoing request for production of documents have been served by electronic mail on this 13th day of June 2024 to the following:

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