

ORIGINAL

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April 12, 2002

Ms. Blanca S. Bayo, Director
Division of the Commission Clerk
& Administrative Services
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Territorial Dispute Between City of Bartow
and Tampa Electric Company ("TECO")
Case No. 011333-EU

Dear Ms. Bayo:

Enclosed with this letter are the following pleadings:

1. Original and one copy of Certificate of Service of Second Interrogatories of Petitioner, City of Bartow, to Respondent, Tampa Electric (Nos. 20-25). **04149-02**
2. Original and one copy of Bartow's First Request to Produce to TECO. - *Forwarded to GCL/ny*
3. Original and 16 copies of Bartow's Motion to Shorten Time to Respond to Request for Production and Interrogatories. **04150-02**

Please file the original of each pleading in the Commission's file for this matter. Please then stamp one copy of each with the date and time filed and return them to me in the enclosed stamped, addressed envelope.

Thank you for your assistance.

Sincerely yours,

Dave Dunlap, Jr. (by dm)

Davissou F. Dunlap, Jr.

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APR 15 PM 12:09
COMMISSION CLERK

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02 APR 15 AM 8:51

AUS _____
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SEC 1 Enclosures
OTH _____ cc

Mr. Richard A. Williams
Mr. Frederick M. Bryant

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R&M
FPSC-BUREAU OF RECORDS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of City of Bartow, Florida,
Regarding a Territorial Dispute with Tampa
Electric Company, Polk County, Florida.

DOCKET No. 011333-EU

**CERTIFICATE OF SERVICE OF SECOND
INTERROGATORIES OF PETITIONER, CITY OF BARTOW,
TO RESPONDENT, TAMPA ELECTRIC COMPANY (NOS. 20 - 25)**

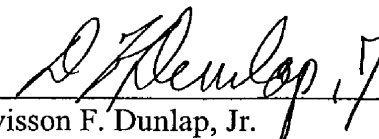
I HEREBY CERTIFY that the original and one copy of Second Interrogatories of
Petitioner, City of Bartow, to Respondent, Tampa Electric Company (Nos. 20 - 25) and the
Certificate of Service of same were served on this 12th day of April, 2002, by United States
mail to:

Mr. Lee L. Willis
Mr. James D. Beasley
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302
Attorneys for Tampa Electric Company

and that a copy of the same were furnished to:

Mr. Harry W. Long, Jr.
Assistant General Counsel
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601

Ms. Adrienne Vining
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0863
Attorney for Florida Public Service Commission



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Attorneys for Petitioner, City of Bartow

DOCUMENT NUMBER-DATE

04149 APR 15 2002

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of City of Bartow, Florida,
Regarding a Territorial Dispute with Tampa
Electric Company, Polk County, Florida.

DOCKET No. 011333-EU
Filed: _____

**SECOND INTERROGATORIES OF PETITIONER, CITY OF BARTOW,
TO RESPONDENT, TAMPA ELECTRIC COMPANY (NOS. 20 - 25)**

Petitioner, City of Bartow, by and through its undersigned attorneys and pursuant to Florida Rule of Civil Procedure 1.560, hereby propounds the following interrogatories to Respondent, Tampa Electric Company (“TECO”), and demands answers to the interrogatories, in writing and under oath, within 20 days of service.

Instructions

- A. All information is to be divulged that is in the possession of the Plaintiff, its attorneys, investigators, agents, employees, or other representatives.
- B. Where an individual interrogatory calls for an answer that involves more than one part, each part of the answer should be clearly set out so that it is understandable.
- C. In answering each interrogatory, identify each writing:
 - 1. Relied upon in the preparation of each answer, or
 - 2. Which forms all or part of the basis for the answer, or
 - 3. Which corroborates the answer, or
 - 4. The substance of which forms all or part of the answer.
- B. If all the information furnished in answer to all or any part of an interrogatory is not within the personal knowledge of the affiant, state the name of each person to whom all or any

part of the information furnished is a matter of personal knowledge and the name of each person who communicated to the affiant any part of the information furnished.

C. If the answer to all or any part of the interrogatory is not presently known or available, include a statement to that effect.

D. In the event that an interrogatory seeks information that is claimed to be privileged, the party answering these interrogatories should respond to as much of the interrogatory as is possible without violating the privilege, then state the privilege claimed and the basis therefore.

Definitions

As used herein:

A. The terms “you,” “your,” “Tampa Electric Company,” or “TECO” mean Respondent, Tampa Electric Company, its agents, representatives, employees, offers, and all other persons acting in or on its behalf.

B. The term “OFP” as used herein refers to the Old Florida Plantation Development located in Polk County, Florida.

C. The word “person” means any individual, firm, partnership, corporation, association or business enterprise.

D. The word “address” refers to the last known home address and business address, or any forwarding address known to you.

E. The words “identify” or “state”

1. When used with reference to an individual person, mean to state his/her full name, his/her position and business affiliation at that time referred to, his/her last known position and business affiliation, and his/her last known residence and business addresses;

2. When used with reference to a firm, partnership, corporation, association or other business enterprise, mean to state its full name and address; and

3. When used with reference to a writing mean:

- (a) To state its date, author, address, recipient, type (e.g., book, record, letter, memorandum, etc. or some other means of identifying it),
- (b) To state its present location and custodian, and
- (c) Either to state the substance thereof or to annex to and incorporate in the answers to these interrogatories a true and correct copy thereof.

F. The term “documents” refers to all written or graphic matter, however produced or reproduced, of every kind and description, whether produced internally or received from outside sources, including without limitation: papers, books, letters, photographs, perspectives, drawings, sketches, feasibility studies, objects, tangible things, correspondence, telegrams, memoranda, interoffice communications, patents, licenses, testing reports, laboratory reports, scientific analysis, safety reports, agreements, ledgers, books of account, summaries, computer printouts and other computer materials, transcripts, analyses, proposals, suggestions, legal pleadings, bills of sale, indemnity agreements, security agreements, account records, vouchers, checks, invoices, drafts, receipts, bills, working papers or drafts, statistical records, notebooks, calendars, appointment books, diaries, agendas, time sheets, logs, transaction files, credit reports, notations, notes, sound records of any type, minutes of directors’ or other meetings, photo-records or tape recordings or other data compilations from which information can be obtained, any transcriptions thereof, bulletins, circulars, press releases, notices, instructions, advertisements, work assignments, motion picture films, videotapes, kinescopes, research or other articles and treatises, including all attachments and enclosures thereto.

Interrogatories

20. TECO has identified the name plate reading on the Gordonville substation as being 12.5 MVA. TECO has also responded that it is applying a summer peak reading of 15.6 MVA. Please explain how the peak summer reading of 15.6 is achieved.

21. What is the basis used to determine the summer peak and winter peak ratings?

22. How are these peak ratings determined?

23. Please identify all persons who participated in any way in any findings, studies or discussions with respect to TECO's providing electrical service to customers in the OFP development area during the past five years.

24. Identify by date and author any memoranda, correspondence, electronic communications or notes that relate to any of those findings, planning studies, or discussions.

25. With respect to the planning, finding studies, or discussions referred to in interrogatory number 23 above, please state whether they involved a consideration of the cost or costs of providing electrical service to the OFP development area. If so, please state in detail what the planning, studies, or discussions showed with respect to the cost for providing electrical service to the OFP development area.

TAMPA ELECTRIC COMPANY

By: _____
Its: _____

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, the undersigned authority, appeared _____, who being first duly sworn, states under oath that he/she has read the answer to the above interrogatory, and that the answer is true and correct to the best of his/her knowledge and belief.

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 2001, by _____, who is personally known to me or who has produced _____ as identification.

Notary Public

Print, type or stamp name, commission
no. and expiration date: