

# AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
P.O. BOX 391 (ZIP 32302)  
TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

April 19, 2002

HAND DELIVERED

Ms. Blanca S. Bayo, Director  
Division of Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Petition of City of Bartow, Florida, Regarding a Territorial Dispute with Tampa Electric Company, Polk County, Florida; FPSC Docket No. 011333-EI

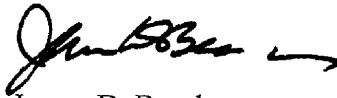
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Response in Opposition to the City of Bartow's Motion to Shorten Time to Respond to Request for Production and Interrogatory.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

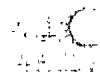
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Enclosure

cc: All Parties of Record (w/enc.)

DOCUMENT NUMBER-DATE

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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  
FILED: April 19, 2002

**TAMPA ELECTRIC COMPANY'S RESPONSE IN OPPOSITION  
TO THE CITY OF BARTOW'S MOTION TO SHORTEN TIME TO  
RESPOND TO REQUEST FOR PRODUCTION AND INTERROGATORY**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 28-106.204, Florida Administrative Code, responds as follows in opposition to the City of Bartow's Motion to Shorten Time filed with the Commission and served on Tampa Electric by mail on April 12, 2002:

1. Bartow's Motion fails to state any compelling ground for shortening the normal response time to its latest round of discovery. The fact that Bartow's latest round of discovery and accompanying Motion to Shorten the Time to Respond were served on Tampa Electric by mail, rather than Bartow's Tallahassee counsel delivering a copy of these materials to Tampa Electric's Tallahassee counsel, belies Bartow's professed need for information on an expedited basis.

2. Bartow's own reluctance to timely respond to discovery should be weighed against Bartow's claimed need for expedited responses. In this regard, Tampa Electric still has pending a January 22, 2002 Motion to Compel Bartow to respond to interrogatories and requests for production of documents propounded by Tampa Electric in November of last year.

3. In December of last year Tampa Electric provided answers to Bartow's earlier discovery requests that included information on capacity ratings for Tampa Electric's Gordonville Substation. In its latest discovery requests the City asks for follow up information

on how those capacity ratings were derived. Such follow up questions could have been posed months ago, rather than asking for them now, and on an expedited basis.

4. It is Tampa Electric's understanding that the tentative due dates for activity in this docket may be extended which further detracts from Bartow's claim of need for expedited discovery.

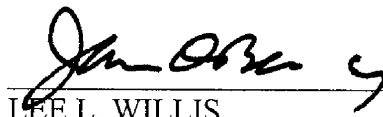
WHEREFORE, Tampa Electric submits that the City of Bartow has failed to establish good cause to require Tampa Electric to answer discovery on an expedited basis but, instead, has acted in a manner inconsistent with any need for such extraordinary relief.

DATED this 19<sup>th</sup> day of April 2002.

Respectfully Submitted,

HARRY W. LONG JR.  
Assistant General Counsel – Regulatory  
Tampa Electric Company  
P.O. Box 111  
Tampa, Florida 33601

and



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LEE L. WILLIS  
JAMES D. BEASLEY  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32303  
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

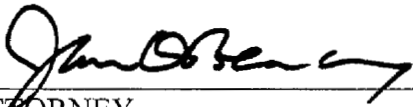
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Response in Opposition, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (\*) on this 19<sup>th</sup> day of April, 2002 to the following:

Ms. Adrienne Vining\*  
Staff Counsel  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Mr. Joseph J. DeLegge  
City of Bartow  
P. O. Box 1069  
Bartow, FL 33830-1069

Mr. Davisson F. Dunlap, Jr.  
Dunlap & Toole, P.A.  
2057 Delta Way  
Tallahassee, FL 32303

  
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ATTORNEY