

**Ruth Nettles**

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**From:** Tibbetts, Arlene [Arlene.Tibbetts@pgnmail.com]  
**Sent:** Monday, June 22, 2009 3:38 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Katherine Fleming; jeremy.susac@myflorida.com; suzannebrownless@comcast.net; sclark@radeylaw.com; Ljacobs50@comcast.net; vkaufman@kagmlaw.com; jmcwhirter@mac-law.com; Lewis Jr, Paul; george@cavros-law.com  
**Subject:** Docket 080408-EG Filing: PEF's Objections to NRDC-SACE 1st Set of Interrogatories  
**Attachments:** PEF Objections to NRDC-SACE 1st ROGs (Nos. 1-23).pdf

This electronic filing is made by:

John Burnett  
P.O. Box 14042  
St. Petersburg, FL 33733  
727-820-5184  
[John.Burnett@pgnmail.com](mailto:John.Burnett@pgnmail.com)

Docket: 080408-EG

In re: Commission Review of numeric conservation goals (Progress Energy Florida, Inc.)

On behalf of Progress Energy Florida

Consisting of 4 pages

The attached document for filing is PEF's Objections to NRDC's & SACE's First Set of Interrogatories (Nos. 1-23)

DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Commission review of numeric  
conservation goals (Progress Energy Florida,  
Inc.).

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Docket No. 080408-EG

Submitted for Filing: June 22, 2009

**PEF'S OBJECTIONS TO NRDC'S & SACE'S FIRST  
SET OF INTERROGATORIES (Nos. 1-23)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the National Resources Defense Council ("NRDC") and Southern Alliance for Clean Energy's ("SACE's") First Set of Interrogatories (Nos. 1-23) and states as follows:

**GENERAL OBJECTIONS**

With respect to the "Definitions" and "Instructions" in NRDC's and SACE's First Set of Interrogatories, PEF objects to any definitions or instructions that are inconsistent with PEF's discovery obligations under applicable rules. If some question arises as to PEF's discovery obligations, PEF will comply with applicable rules and not with any of NRDC's and SACE's definitions or instructions that are inconsistent with those rules. Furthermore, PEF objects to any interrogatory that calls for PEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

PEF 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.

PEF also objects to any Interrogatory or Request for Production that purports to require PEF or its experts to prepare studies, analyses, or to do work for NRDC and SACE that has not been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to NRDC's and SACE's first interrogatories 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.

PEF also objects to any attempt by NRDC and SACE 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, PEF reserves the right to supplement any of its responses to NRDC's and SACE's First Interrogatories if PEF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive information in the course of this proceeding.

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

### **SPECIFIC OBJECTIONS**

**Interrogatory 6:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.

**Interrogatory 7:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.

**Interrogatory 8:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.

**Interrogatory 9:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.

**Interrogatory 12:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.

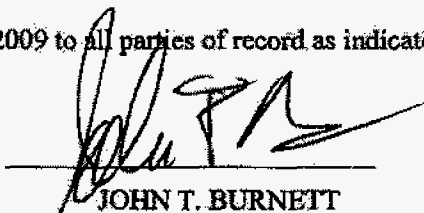
**Interrogatory 18:** PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for NRDC and SACE, presumably at PEF's expense, where such work or analyses may not have been previously done for PEF.



R. ALEXANDER GLENN  
General Counsel - Florida  
JOHN T. BURNETT  
Associate General Counsel - Florida  
PROGRESS ENERGY SERVICE COMPANY, LLC  
299 First Avenue North  
St. Petersburg, FL 33701  
Telephone: (727) 820-5184  
Facsimile: (727) 820-5519

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic and U.S. Mail this <sup>12<sup>th</sup></sup> day of June, 2009 to all parties of record as indicated below.



JOHN T. BURNETT

Erik Saylor, Esquire  
Katherine Fleming, Esquire  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Susan Clark  
Radey Law Firm  
301 South Bronough Street, Suite 200  
Tallahassee, FL 32301

Jeremy Susac  
Florida Energy & Climate Commission  
c/o Governor's Energy Office  
600 South Calhoun St., Suite 251  
Tallahassee, FL 32399

John W. McWhirter, Jr.  
P.O. Box 3350  
Tampa, FL 33601-3350

E. Leon Jacobs, Jr.  
Williams & Jacobs, LLC  
1720 S. Gadsden St., MS 14  
Suite 201  
Tallahassee, FL 32301

Ms. Suzanne Brownless  
Suzanne Brownless, P.A.  
1975 Buford Blvd.  
Tallahassee, FL 32308

George S. Cavros, Esq., P.A.  
120 E Oakland Park Blvd., Suite 10  
Ft. Lauderdale, FL 33334

Vicki Gordon Kaufman  
Jon C. Moyle, Jr.  
Keefe Anchors Gordon & Moyle, PA  
118 North Gadsden Street  
Tallahassee, FL 32301