BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Progress Energy Florida, Inc.).	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 22nd day of June, 2009 to all parties of record as indicated below.

JOHN T. BURNETT

Erik Sayler, 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