

Ruth Nettles

090079-EI

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Subject: Electronic Filing Docket No. 090079
Attachments: PEF Object to Staffs 23 Req for Production.pdf

Matthew R. Bernier, Carlton Fields, P.A., 215 South Monroe Street, Ste. 500, Tallahassee, FL 32301, mbernier@carltonfields.com is the person responsible for this electronic filing;

The filing is to be made in Docket 090079-EI, In re: Petition for rate increase in rates by Progress Energy Florida, Inc.;

The total number of pages is 3;

The attached document is Progress Energy Florida's Objections to Staff's Twenty-Third Request for Production of Documents (no. 158).

Thank you.

CARLTON FIELDS
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DOCUMENT NUMBER-DATE

09156 SEP-28

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE:
PETITION FOR INCREASE IN RATES
BY PROGRESS ENERGY FLORIDA, INC.

Docket No. 090079-EI
Submitted for filing: September 2, 2009

**PEF'S OBJECTIONS TO STAFF'S TWENTY-THIRD
REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 158)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 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 Florida Public Service Commission Staff's ("Staff") Twenty-Third Request for Production of Documents (No. 158) and states as follows:

GENERAL OBJECTIONS

PEF will make all responsive documents available for inspection and copying at the offices of PEF, 106 E. College Ave., Suite 800, Tallahassee, Florida, 32301 at a mutually-convenient time, or will produce the documents in some other manner or at some other place that is mutually convenient to both PEF and Staff for purposes of inspection, copying, or handling of the responsive documents.

With respect to any "Definitions" and "Instructions" in Staff's 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 Staff's definitions or instructions that are inconsistent with those rules.

SPECIFIC OBJECTIONS

Request 158: PEF objects to Staff's request number 158 because PEF has no additional responsive information other than what has previously been produced in response to Staff's Seventh Request for Production.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via electronic and U.S. Mail to the following counsel of record as indicated below on this 2nd day of September, 2009.



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