

**Diamond Williams**

100160-EG

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**Subject:** Docket 100160-EG  
**Attachments:** PEF's Objections to SACE's 3rd Set of Rogs (Nos. 7-11).pdf; PEF's Objections to SACE's 3rd PODs (No. 7).pdf

This electronic filing is made by:

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Docket: 100160-EG

In re: Energy conservation cost recovery clause  
on behalf of Progress Energy Florida

The attached documents for Filing:

1. PEF's Objections to Southern Alliance for Clean Energy's 3<sup>rd</sup> Set of Interrogatories (Nos. 7-11) - (consisting of 3 page)
2. PEF's Objections to Southern Alliance for Clean Energy's 3<sup>rd</sup> Request for Production of Documents (No. 7) - (consisting of 5 pages)

DOCUMENT NUMBER DATE

00810 FEB-2 =

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Approval of  
Demand-side Management Plan  
of Progress Energy Florida, Inc.

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DOCKET NO.: 100160-EI

SERVED: February 2, 2011

**PEF'S OBJECTIONS TO THE SOUTHERN ALLIANCE FOR  
CLEAN ENERGY'S THIRD SET OF INTERROGATORIES  
(Nos. 7-11)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to The Southern Alliance for Clean Energy's ("SACE") Third Set of Interrogatories (Nos. 7-11) and states as follows:

**GENERAL OBJECTIONS**

With respect to the "Definitions" in SACE's Third 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 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

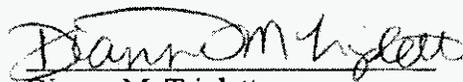
require PEF or its experts to prepare studies, analyses, or to do work for SACE that has not been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to SACE's Third Set of 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 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 SACE's Third Set of 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 SACE's discovery at the time PEF's response is due.



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**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 2<sup>nd</sup> day of February, 2011, to all parties of record as indicated below.



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