

Diamond Williams

From: Mary Davis [MD@beggslane.com]
Sent: Monday, August 22, 2011 3:41 PM
To: Filings@psc.state.fl.us
Cc: Caroline Klancke; cguyton@gunster.com; chris.thompson.2@tyndall.af.mil; sayler.erik@leg.state.fl.us; kelly.jr@leg.state.fl.us; jmoyle@kagmlaw.com; mcglathlin.joseph@leg.state.fl.us; karen.white@tyndall.af.mil; Keino Young; kiharris@southernco.com; Martha Barrera; rick@rmelsonlaw.com; swright@yvlaw.net; sdriteno@southernco.com; merchant.tricia@leg.state.fl.us; vkaufman@kagmlaw.com
Subject: e-filing Docket 110138-EI
Attachments: Objections OPCs 2nd ROGs.pdf

- a. Person responsible for this electronic filing:

Steven R. Griffin
 Beggs & Lane
 P.O. Box 12950
 501 Commendencia Street
 Pensacola, FL 32576-2950
 (850)432-2451
srg@beggslane.com

- b. Docket 110138-EI

In re: Petition for increase in rates by Gulf Power Company

- c. Document being filed on behalf of Gulf Power Company
 d. There are 6 pages to Gulf's Objections
 e. The document attached for electronic filing is Gulf's of Objections to OPC's Second Interrogatories to Gulf Power (Nos. 88-153)

Mary E. Davis
 Legal Assistant to Jeffrey A. Stone,
 Russell A. Badders and Steven R. Griffin
 Beggs & Lane
 501 Commendencia Street
 Pensacola, FL 32502
 (850)432-2451
 Fax (850)469-3331
md@beggslane.com

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for increase in rates by Gulf
Power Company.

Docket No. 110138-EI
Dated: August 22, 2011

**GULF POWER COMPANY'S OBJECTIONS TO CITIZENS' SECOND
INTERROGATORIES TO GULF POWER (NOS. 88-153)**

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, Gulf Power Company ("Gulf") hereby serves its objections to Florida Citizens' ("OPC") Second Interrogatories to Gulf Power Company (Nos. 88-153, and respectively, and together "the Requests") and states as follows:

GENERAL OBJECTIONS

With respect to any "Definitions" and "Instructions" in OPC's Interrogatories, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of OPC's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for information that is not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery. Information of affiliated companies, including the Southern Company, that is directly relevant to Gulf's rate request, including information regarding transactions or cost allocations among Gulf and its affiliated companies may be provided, upon request. Otherwise, no responses to the requests will be made on behalf of persons or entities other than Gulf. Gulf objects to any request that calls for Gulf to perform analyses that it has not otherwise performed in support of its case and would not normally

perform in the ordinary course of its business because there is no such requirement under the applicable rules and law.

Additionally, Gulf generally objects to OPC's requests to the extent that they call for 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. Gulf will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any request calls for the production of privileged or protected information.

Further, in certain circumstances, Gulf may determine upon investigation and analysis that information responsive to certain requests to which objections are not otherwise asserted is confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such a request, Gulf is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement, protective order, or the procedures otherwise provided by law or in the Order Establishing Procedure. Gulf hereby asserts its right to require such protection of any and all information that may qualify for protection under the Florida Rules of Civil Procedure, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

Gulf generally objects to OPC's interrogatories to the extent that they call for the production of documents on the ground that such a request is beyond the scope of Rule 1.340 of the Florida Rules of Civil Procedure.

Gulf also objects to any request that calls for projected data or information beyond the year 2012 because such data or information is wholly irrelevant to this case and has no bearing

on this proceeding, nor is such data or information likely to lead to the discovery of admissible evidence.

By making these general objections at this time, Gulf does not waive or relinquish its right to assert additional general and specific objections to OPC's discovery at the time Gulf's response is due under the Florida Rules of Civil Procedure and the Order Establishing Procedure. Gulf provides these general objections at this time to comply with the intent of the Order Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

SPECIFIC OBJECTIONS

Interrogatory 90: Gulf Power objects to this interrogatory on the ground that it directs Gulf Power to develop information that does not presently exist and that Gulf would not normally produce in the ordinary course of business. Moreover, compliance with this request would be unduly burdensome in that it would require Gulf to develop an entirely new sales forecast using the inputs provided by OPC. Development of a sales forecast is a lengthy process and would require between 120 and 160 man-hours.

Interrogatory 96: Gulf objects to this interrogatory to the extent that it directs Gulf to produce workpapers and other materials supporting the interrogatory response. Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 101: Gulf objects to this interrogatory to the extent that it directs Gulf to produce workpapers and other materials supporting the interrogatory response. Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 111: Gulf objects to this interrogatory to the extent that it directs Gulf to produce workpapers and other materials supporting the interrogatory response. Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 124: Gulf objects to this interrogatory to the extent that it directs Gulf to produce copies of leases. Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 130: Gulf objects to this interrogatory to the extent that it directs Gulf to produce "supporting documentation." Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 131: Gulf objects to this interrogatory to the extent that it directs Gulf to produce "supporting documentation." Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 131: Gulf objects to this interrogatory to the extent that it directs Gulf to produce "supporting documentation." Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Interrogatory 139: Gulf objects to this interrogatory to the extent that it directs Gulf to produce "supporting documentation." Such a request exceeds Gulf's discovery obligations under Rule 1.340 of the Florida Rules of Civil Procedure.

Respectfully submitted this 22nd day of August 2011.

JEFFREY A. STONE
Florida Bar No. 325953
RUSSELL A. BADDERS
Florida Bar No. 007455
STEVEN R. GRIFFIN
Florida Bar No. 627569
Beggs & Lane
P. O. Box 12950
501 Commendencia Street
Pensacola, FL 32576-2950
(850) 432-2451

CHARLES A. GUYTON
Florida Bar No. 398039
Gunster, Yoakley & Stewart, P.A.
215 South Monroe Street, Suite 618
Tallahassee, FL 32301
(850) 521-1980

RICHARD D. MELSON
Florida Bar No. 201243
705 Piedmont Drive
Tallahassee, FL 32312
(850) 894-1351
Attorneys for Gulf Power Company

BY: s/ Steven R. Griffin
Steven R. Griffin
Fla. Bar No. 627569

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 22nd day of August, 2011 to all counsel of record as indicated below:

Office of Public Counsel
J. R. Kelly/Joseph A. McGlothlin/Erik
c/o The Florida Legislature
111 W. Madison Street,
Room 812
Tallahassee, FL 32393-1400
Kelly.jr@leg.state.fl.us
mcglothlin.joseph@leg.state.fl.us
Saylor.erik@leg.state.fl.us
merchant.tricia@leg.state.fl.us

Caroline Klancke/Keino Young/Martha
Barrera
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850
mbarrera@psc.state.fl.us
cklancke@psc.state.fl.us
kyoung@psc.state.fl.us

Florida Retail Federation
227 South Adams Street
Tallahassee, FL 32301

Young Law Firm
Robert Scheffel Wright/John T. La Via,
225 South Adams Street, Suite 200
Tallahassee, FL 32301
swright@yvlaw.net

Gunster Law Firm
Charles A. Guyton
215 S. Monroe St.,
Suite 618
Tallahassee, FL 32301
cguyton@gunster.com

Richard Melson
705 Piedmont Drive
Tallahassee, FL 32312
rick@rmelsonlaw.com

Florida Industrial Power
Users Group
Vicki G. Kaufman/Jon C. Moyle,
Jr.
c/o Keefe Law Firm
118 North Gadsden Street
Tallahassee, FL 32301
vkaufman@kagmlaw.com
jmoyle@kagmlaw.com

Federal Executive Agencies
c/o Major Christopher C.
Thompson
Ms. Karen White
AFLOA/JACL-ULFSC
139 Barnes Drive, Suite 1
Tyndall Air Force Base,
Florida 32403
chris.thompson.2@tyndall.af.mil
karen.white@tyndall.af.mil

BY: s/ Steven R. Griffin
Steven R. Griffin
Fla. Bar No. 627569