

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost
recovery clause with generating
performance incentive factor.

Docket No. 120001-EI

Submitted for Filing: April 17, 2012

**PEF'S OBJECTIONS TO FIPUG'S
FIPUG'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (Nos. 1-5)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Florida Industrial Power Users Group's ("FIPUG") First Request for Production of Documents (Nos. 1-5) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in FIPUG's First Request for Production of Documents, 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 FIPUG's definitions or instructions that are inconsistent with those rules. Furthermore, PEF objects to any request 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 request that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

Additionally, PEF generally objects to FIPUG's requests 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.

Finally, PEF objects to any attempt by FIPUG to evade any numerical limitations set on requests for production of documents by asking multiple independent questions within single

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

SPECIFIC OBJECTIONS

Requests 1-5: In addition to and without waiving the general objections outlined above, PEF objects to FIPUG's Requests No. 1-5 because the 2009 and 2010 data requested is not at issue in the 2012 docket.

Respectfully submitted,



R/ALEXANDER GLENN

General Counsel

JOHN T. BURNETT

Associate General Counsel

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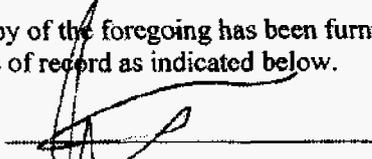
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 11th day of April, 2012 to all parties of record as indicated below.



JOHN T. BURNETT

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