

**Eric Fryson**

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**Sent:** Monday, April 30, 2012 3:17 PM  
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**Subject:** E-Filing & E-Service: PEF's Objections to FIPUG 1st Set of Rogs (1) - Dkt# 120007-EI  
**Attachments:** PEF's Objections to FIPUG's 1st Set of Rogs (1) - Dkt# 120007.pdf

**This electronic filing is made by:**

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**Docket No. 120007-EI**

**On Behalf of Progress Energy Florida, Inc.**

**Consisting of 3 Pages.**

**The attached document for filing is PEF's  
Objections to FIPUG's First Set of Interrogatories (No. 1)  
in the above referenced docket.**

*Lisa Roddy*

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FPSC-COMMISSION CLERK

4/30/2012

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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Docket No. 120007-EI

Submitted for Filing: April 30, 2012

**PEF'S OBJECTIONS TO FIPUG'S  
FIPUG'S FIRST SET OF INTERROGATORIES (No. 1)**

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 Florida Industrial Power Users Group's ("FIPUG") First Set of Interrogatories (No. 1) and states as follows:

**GENERAL OBJECTIONS**

With respect to the "Definitions" and "Instructions" in FIPUG'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 FIPUG'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.

Additionally, PEF generally objects to FIPUG's 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.

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

02732 APR 30 2012

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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.

Respectfully submitted,

Handwritten signature of Gary V. Perko in black ink, written over a horizontal line.

GARY V. PERKO  
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ATTORNEYS FOR PROGRESS ENERGY FLORIDA, INC.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic mail this 30<sup>th</sup> day of April, 2012 to all parties of record as indicated below.

  
GARY V. PERKO

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