

**Eric Fryson**

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**Subject:** Electronic Filing Docket 130009-EI  
**Attachments:** Docket 130009 DEF Objections Staff 5th Interrogatories.pdf; Docket 130009 DEF Objections SACE's 1st Interrogatories.pdf

Electronic Filing  
Docket No.130009-EI  
In re: Nuclear Cost Recovery Clause

a. Person responsible for this electronic filing:

Blaise N. Gamba  
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b. Documents are being filed on behalf of Duke Energy Florida, Inc.

c. The documents attached for electronic filing are:

1. Duke Energy Florida, Inc.'s Objections to Staff's Fifth Set of Interrogatories (No. 24) [five (5) pages]; and
2. Duke Energy Florida, Inc.'s Objections to SACE's First Set of Interrogatories (Nos. 1-15) [five (5) pages].

Thank you for your attention to this request.

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Nuclear Cost Recovery Clause.

Docket No. 130009-EI  
Submitted for Filing: June 20, 2013

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**DUKE ENERGY FLORIDA, INC.'S OBJECTIONS TO  
SACE'S FIRST SET OF INTERROGATORIES (NOS. 1-15)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rules 1.340 and 1.280 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure, Order No. PSC-13-0063-PCO-EI, issued January 29, 2013 (the "Order"), in this matter, Duke Energy Florida, Inc. ("DEF") serves its objections to the Southern Alliance for Clear Energy's ("SACE") First Set of Interrogatories (Nos. 1-15), and states as follows:

**GENERAL OBJECTIONS**

If any interrogatory is to be answered through production of documents pursuant to Florida Rule of Civil Procedure 1.340(c), DEF will make responsive documents available for inspection and copying at the offices of DEF, 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 DEF and SACE for purposes of inspection, copying, or handling of the responsive documents.

Additionally, DEF will not provide information or documents 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 in response to these interrogatories. DEF will provide a privilege log in accordance with applicable law or as may be agreed to by the parties to the extent, if at all, that any interrogatory calls for the production of privileged or protected information or documents.

Further, in certain circumstances, DEF may determine upon investigation and analysis that documents responsive to certain interrogatories to which objections are not otherwise asserted are 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, DEF 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. DEF 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, and all other applicable statutes, rules, and legal principles.

Furthermore, DEF objects to any interrogatory that calls for DEF to create documents or information that it otherwise does not have because there is no such requirement under applicable law.

To the extent that these Interrogatories seek to impose requirements on the responses to the Interrogatories beyond the requirements of the Florida Rules of Civil Procedure, DEF will respond to all SACE's Interrogatories consistent with the requirements of the Florida Rules of Civil Procedure, and not some inconsistent or additional requirement.

By making these general objections at this time, DEF does not waive or relinquish its right to assert additional general and specific objections to SACE's discovery at the time DEF's response is due under the Florida Rules of Civil Procedure and the Order.

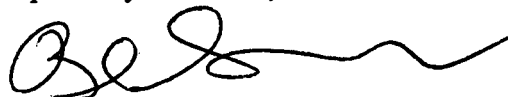
### **SPECIFIC OBJECTIONS**

#### **SACE Interrogatory No. 3:**

DEF objects to this interrogatory to the extent it requests DEF to create documents and perform calculations that DEF would not otherwise create or perform, respectively. Neither the Rules of Civil Procedure nor the Order requires DEF to create documents that do not exist or to

perform calculations that it would not otherwise perform. Subject to and without waiving the foregoing objections, DEF will provide the requested information to the extent it exists and is in DEF's possession, custody, or control.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 20<sup>th</sup> day of June, 2013.

  
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