

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Nuclear Cost Recovery Clause.

Docket No. 130009-EI  
Submitted for Filing: July 8, 2013

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**DUKE ENERGY FLORIDA, INC.'S OBJECTIONS TO  
STAFF'S SEVENTH SET OF INTERROGATORIES (NOS. 47-52)**

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, as revised by Order No. PSC-13-0301-PCO-EI (the "Order"), in this matter, Duke Energy Florida, Inc. ("DEF") serves its objections to the Florida Public Service Commission Staff's ("Staff") Seventh Set of Interrogatories (Nos. 47-52), and states as follows:

**GENERAL OBJECTIONS**

As an initial matter, DEF generally objects to all of these interrogatories as untimely pursuant to the Order in this docket.

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 Staff 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 Staff'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 Staff's discovery at the time DEF's response is due under the Florida Rules of Civil Procedure and the Order.

**SPECIFIC OBJECTIONS**

**Staff Interrogatory No. 51:**

DEF objects to this interrogatory because it is untimely pursuant to the Order in this docket. Pursuant to the Order, discovery shall be completed by July 12. Staff's interrogatories were served on June 27, 2013. Under the Order, DEF has twenty (20) days to respond, making its response due after the discovery cut off deadline of July 12.

DEF also objects to this interrogatory to the extent it requests DEF to create documents and perform calculations or comparisons that DEF does not have an obligation to create and that DEF has not and would not otherwise create or perform at this time. In addition, DEF objects to this interrogatory as irrelevant to the issues in this docket and not reasonably calculated to lead to the discovery of admissible evidence.

**Staff Interrogatory No. 52:**

DEF objects to this interrogatory because it is untimely pursuant to the Order in this docket. Pursuant to the Order, discovery shall be completed by July 12. Staff's interrogatories were served on June 27, 2013. Under the Order, DEF has twenty (20) days to respond, making its response due after the discovery cut off deadline of July 12.

DEF also objects to this interrogatory to the extent it requests DEF to create documents and perform calculations or comparisons that DEF does not have an obligation to create and that DEF has not and would not otherwise create or perform at this time. In addition, DEF objects to this interrogatory as irrelevant to the issues in this docket and not reasonably calculated to lead to the discovery of admissible evidence.

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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 8th day of July, 2013.



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