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FPSC - COMMISSION CLERK

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COMMISSION CLERK

April 7, 2014

HAND DELIVERED

Ms. Carlotta S. Stauffer Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re:

Commission review of numeric conservation goals

(Tampa Electric Company); FPSC Docket No. 130201-EI

Dear Ms. Stauffer:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Response in Opposition to Sierra Club's Motion for Leave to File Reply to Responses to Sierra Club's Motion.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,

James D. Beasley

JDB/pp Enclosure

All Parties of Record (w/enc.) cc:

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Commission review of numeric conservation goals (Florida Power & Light Company)	DOCKET NO. 130199-EI
In re: Commission review of numeric conservation goals (Duke Energy Florida, Inc.	DOCKET NO. 130200-EI
In re: Commission review of numeric conservation goals (Tampa Electric Company)	DOCKET NO. 130201-EI
In re: Commission review of numeric conservation Goals (Gulf Power Company)	DOCKET NO. 130202-EI
In re: Commission review of numeric conservation goals (JEA)	DOCKET NO. 130203-EM
In re: Commission review of numeric conservation goals (Orlando Utilities Commission)	DOCKET NO. 130204-EM
In re: Commission review of numeric conservation	DOCKET NO. 130205-EI

goals (Florida Public Utilities Company)

TAMPA ELECTRIC COMPANY'S RESPONSE IN OPPOSITION TO SIERRA CLUB'S MOTION FOR LEAVE TO FILE REPLY TO RESPONSES TO SIERRA CLUB'S MOTION

FILED: April 7, 2014

Tampa Electric Company ("Tampa Electric" or the "company"), pursuant to Rule 28-106.204, Florida Administrative Code, responds in opposition to the Motion for Leave to File Reply to Responses to Sierra Club's Motion filed by Sierra Club on April 2, 2104 in the aboveentitled dockets, and says:

- 1. Rule 28-106-204, Florida Administrative Code, governing motions, states the following:
 - (3) All motions, other than a motion to dismiss, shall include a statement that the movant has conferred with all other parties of record and shall state as to each party whether the party has any

objection to the motion. Any statement that the movant was unable to contact the other party or parties before filing the motion must provide information regarding the date(s) and method(s) by which contact was attempted.

2. Sierra Club's Motion for Leave to File Reply does not include the statement required in the above-quoted portion of Rule 28-106.204, nor did Sierra Club confer with Tampa Electric to determine whether it has any objection to the Motion.

3. For the record, Tampa Electric objects to Sierra Club's Motion and urges that it be denied as simply constituting re-argument of matters asserted in Sierra Club's March 14, 2014 Motion. Tampa Electric specifically denies that Sierra Club ever requested a technical potential update from Tampa Electric, contrary to the assertion in paragraph 4 of Sierra Club's reply.

4. Rule 28-106.204, Florida Administrative Code, discourages replies to responses to motions by stating that no reply to a response to a motion shall be permitted unless leave is sought and granted by the presiding officer. Sierra Club's Motion to File a Reply states no justification for the reply.

WHEREFORE, Tampa Electric Company submits the foregoing Response in Opposition to Sierra Club's Motion for Leave to File Reply to Responses to Sierra Club's Motion.

DATED this 7 day of April, 2014.

Respectfully submitted,

JAMES D. BEASLEY

J. JEFFRY WAHLEN

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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response in Opposition to Sierra Club's Motion for Leave to File Reply to Responses to Sierra Club's Motion, filed on behalf of Tampa Electric Company, has been furnished electronically this day of April 2014 to the following:

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