

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 140001-EI
Dated: October 29, 2014

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S OBJECTIONS TO
FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS (NOS. 1-8) AND FIRST SET OF INTERROGATORIES (NOS. 1-34)**

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, The Florida Industrial Power Users Group (FIPUG), by and through its undersigned attorneys, hereby submits the following objections to the First Request for Production of Documents (No. 1-8) and First Set of Interrogatories (No. 1-34) propounded by Florida Power & Light Company (FPL), on October 24, 2014.

GENERAL OBJECTIONS

FIPUG objects to each and every discovery request that calls for 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, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. FIPUG in no way intends to waive any such privilege or protection.

FIPUG is an ad hoc organization with entities located in many different locations. In the course of its business, FIPUG creates numerous documents that are not subject to Florida Public Service Commission or other governmental record retention requirements. These documents are kept in numerous locations and frequently are moved from site to site as employees change jobs or as businesses are reorganized. Therefore, it is possible that

not every relevant document may have been consulted in developing FIPUG's responses to the discovery requests. Rather, these responses provide all of the information that FIPUG obtained after a reasonable and diligent search conducted in connection with these discovery requests. To the extent that the discovery requests propose to require more, FIPUG objects on the grounds that compliance would impose an undue burden or expense on FIPUG.

FIPUG objects to each discovery request to the extent that it seeks information that is duplicative not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence.

FIPUG objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests. Any responses provided by FIPUG will be provided subject to, and without waiver of, the foregoing objection.

FIPUG also objects to each and every discovery request to the extent it calls for FIPUG to prepare information in a particular format or perform calculations or analyses not previously prepared or performed as unduly burdensome and purporting to expand FIPUG's obligations under applicable law.

FIPUG objects to providing information to the extent that such information is already in the public record before a public agency and available through normal procedures or is readily accessible through legal search engines.

FIPUG objects to each and every discovery request that calls for the production of documents and/or disclosure of information from any subsidiaries and/or affiliates of

FIPUG entities that do not deal FIPUG. Those documents and/or information are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, FIPUG is the party appearing before the Florida Public Service Commission in this docket. To require any non-regulated entities to participate in irrelevant discovery is by its very nature unduly burdensome and overbroad. Subject to, and without waiving, any other objections, FIPUG will respond to the extent the request pertains to FIPUG.

Where any discovery request calls for production of documents, FIPUG objects to any production location other than at the Tallahassee Office, office of counsel for FIPUG, The Moyle Law Firm, located at 118 North Gadsden Street, Tallahassee, Florida, unless otherwise agreed by the parties.

FIPUG objects to each and every discovery request and any instructions that purport to expand FIPUG's obligations under applicable law.

In addition, FIPUG reserves its right to count discovery requests and their sub-parts, as permitted under the applicable rules of procedure, in determining whether it is obligated to respond to additional requests served.

FIPUG expressly reserves and does not waive any and all objections it may have to the admissibility, authenticity or relevance of the information provided in its responses.

/s/ Jon C. Moyle

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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the Florida Industrial Power Users Group's Objections to FPL's First Request to Produce Documents (No. 1-8) and First Set of Interrogatories (No. 1-34) has been furnished by electronic mail this 29th day of October, 2014, to the following:

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