

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

April 13, 2020

VIA: ELECTRONIC FILING

Mr. Adam J. Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Tampa Electric Company's Petition for Approval of Storm Protection Plan
Dkt. 20200067-EI

Dear Mr. Teitzman:

Attached for filing in the above docket is Tampa Electric Company's Response to the Office of Public Counsel's Motion to Modify Discovery Deadlines.

Thank you for your assistance in connection with this matter.

Sincerely,



Malcolm N. Means

MNM/bmp
Attachment

cc: All parties of record

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Review of 2020-2029 Storm Protection) DOCKET NO. 20200067-EI
Plan pursuant to Rule 25-6.030, F.A.C.,)
Tampa Electric Company) FILED: April 13, 2020

**TAMPA ELECTRIC COMPANY'S RESPONSE TO THE
OFFICE OF PUBLIC COUNSEL'S MOTION TO MODIFY DISCOVERY DEADLINES**

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rule 28-106.104, Florida Administrative Code, hereby files this Response to the Office of Public Counsel's ("OPC") Motion to Modify the Discovery Deadlines, Or In the Alternative to Extend the Due Dates for Testimony and Exhibits Established by Order NO. PSC-2020-0073-PCO-EI ("OEP"), and in support thereof states:

I. Background

1. On March 11, 2020, the Prehearing Officer entered an OEP in this docket setting out the following procedural schedule:

- | | |
|--|--------------------|
| (1) Utility's testimony, storm protection plan, and exhibits | April 10, 2020 |
| (2) Intervenors' testimony and exhibits | May 15, 2020 |
| (3) Staff's testimony and exhibits, if any | May 29, 2020 |
| (4) Rebuttal testimony and exhibits | June 15, 2020 |
| (5) Prehearing Statements | July 14, 2020 |
| (6) Discovery deadline | July 21, 2020 |
| (7) Prehearing Conference | July 28, 2020 |
| (8) Hearing | August 10-13, 2020 |
| (9) Briefs | September 4, 2020 |

Order No. PSC-2020-0073-PCO-EI, at 11.

2. The OEP also states that discovery responses must be served within 20 days of receipt of the discovery request, except for responses to discovery related to rebuttal testimony, which must be served within 10 days. *See* Order No. PSC-2020-0073-PCO-EI, at 4.

3. On April 6, OPC filed the pending motion, which asks the Commission to reduce the time to respond to discovery served before the deadline for intervenors' testimony to 10 days. *See* Document No. 01784-2020, filed April 6, 2020 in Docket No. 20200067-EI, at ¶ 10.

4. In the alternative, OPC requests that the deadlines for intervenors' testimony, Staff's testimony, and rebuttal testimony should all be extended by ten days. *See* Document No. 01784-2020, filed April 6, 2020 in Docket No. 20200067-EI, at ¶ 11. This would establish the following due dates:

(2) Intervenors' testimony and exhibits	May 25, 2020
(3) Staff's testimony and exhibits, if any	June 8, 2020
(4) Rebuttal testimony and exhibits	June 25, 2020

II. Response

5. Tampa Electric opposes OPC's Motion to the extent that it calls for a reduction in the time to respond to discovery served before the deadline for intervenors' testimony to 10 days.

6. Tampa Electric has no objection to OPC's request to extend the deadlines for intervenors' testimony, Staff's testimony, and rebuttal testimony to the dates set out in OPC's Motion and in paragraph 4, above.

WHEREFORE, Tampa Electric Company respectfully urges the Commission to deny OPC's request for a reduction in the time to respond to discovery served before the deadline for intervenors' testimony to 10 days.

DATED this 13th day of April 2020.

Respectfully submitted,



JAMES D. BEASLEY
J. JEFFRY WAHLEN
MALCOLM N. MEANS
Ausley McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response to the Office of Public Counsel's ("OPC") Motion to Modify the Discovery Deadlines, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 13th day of April 2020 to the following:

Mr. Charles Murphy
Attorney
Office of General Counsel
Florida Public Service Commission
Room 390L – Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
CMurphy@psc.state.fl.us
RDziehc@psc.state.fl.us

Mr. J. R. Kelly
Mireille Fall-Fry
Office of Public Counsel
111 West Madison Street – Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
fall-fry.mireille@leg.state.fl.us

Stephanie Eaton
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
seaton@spilmanlaw.com

Derrick Price Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
dwilliamson@spilmanlaw.com



ATTORNEY