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**Sent:** Monday, November 28, 2011 11:15 AM  
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**Subject:** Docket No. 110138-EI  
**Attachments:** 11.28.11 FIPUG Objections to Staff 2nd ROGs (4).pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:
- Vicki Gordon Kaufman  
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- b. This filing is made in Docket No. 110138-EI.
- c. The document is filed on behalf of FLORIDA INDUSTRIAL POWER USERS GROUP.
- d. The total pages in the document are 4 pages.
- e. The attached document is FLORIDA INDUSTRIAL POWER USERS GROUP OBJECTIONS TO STAFF'S SECOND INTERROGATORIES TO FLORIDA INDUSTRIAL POWER USERS GROUP (NO. 4).

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DOCUMENT NUMBER 2011

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FPSC-COMMISSION CLERK

11/28/2011

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for increase in Rates by  
Staff Power Company

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DOCKET NO.: 110138-EI  
FILED: November 28, 2011

**FLORIDA INDUSTRIAL POWER USERS GROUP OBJECTIONS TO  
STAFF'S SECOND INTERROGATORIES TO FLORIDA INDUSTRIAL POWER  
USERS GROUP (NO. 4)**

Pursuant to rule 28-106.206, Florida Administrative Code, rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, the Florida Industrial Power Users Group (FIPUG) hereby serves its objections to the Staff's Second Interrogatories (No. 4) and states as follows:

**GENERAL OBJECTIONS**

With respect to any "Definitions" and "Instructions" in Staff's Interrogatories, FIPUG objects to any definitions or instructions that are inconsistent with FIPUG's discovery obligations under applicable rules. If some question arises as to FIPUG's discovery obligations, FIPUG will comply with applicable rules and not with any of Staff's definitions or instructions that are inconsistent with those rules. FIPUG also objects to any request that calls for information that is not within the scope of discovery under the applicable rules and law. Furthermore, FIPUG objects to any definition or request that seeks to encompass persons or entities other than FIPUG who are not parties to this action and thus are not subject to discovery. No responses to the requests will be made on behalf of persons or entities other than FIPUG. FIPUG objects to any request that calls for FIPUG to perform analyses that it has not otherwise performed in support of its case and would not normally perform in the ordinary course of its business because there is no such requirement under the applicable rules and law.

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Additionally, FIPUG generally objects to Staff's requests to the extent that they call 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. FIPUG will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any request calls for the production of privileged or protected information.

Further, in certain circumstances, FIPUG may determine upon investigation and analysis that information responsive to certain requests to which objections are not otherwise asserted is 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, FIPUG 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 or in the Order Establishing Procedure. FIPUG 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, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

FIPUG generally objects to Staff's interrogatories to the extent that they call for the production of documents on the ground that such a request is beyond the scope of Rule 1.340 of the Florida Rules of Civil Procedure.

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

Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

s/ Vicki Gordon Kaufman\_\_\_\_\_

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Attorneys for Florida Industrial Power Users Group

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Florida Industrial Power Users Group Objections to Staff's Second Interrogatories (No. 4) has been furnished by electronic mail and U.S. Mail this 28<sup>th</sup> day of November, 2011, to the following:

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