

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Determination  
of Cost Effective Generation Alternative  
to Meet Need Prior to 2018, by Duke  
Energy Florida, Inc.

Docket No. 140111-EI  
Served: July 11, 2014

**NRG FLORIDA LP'S  
OBJECTIONS TO DUKE ENERGY FLORIDA, INC.'S  
FIRST SET OF INTERROGATORIES (NOS. 1 (a)-(f))**

Pursuant to Rule 28-106.206, Florida Administrative Code, Rule 1.340, Florida Rules of Civil Procedure ("F.R.C.P."), and the Orders Establishing Procedure in this docket, NRG Florida LP ("NRG") hereby objects to Duke Energy Florida, Inc.'s ("DEF") above-referenced interrogatories, which were served on NRG by email after close of business on July 2, 2014.

**GENERAL OBJECTIONS**

NRG objects to DEF's First Set of Interrogatories as follows:

1. NRG objects to any interrogatory that seeks 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.
2. NRG objects to any interrogatory that seeks confidential proprietary business information.
3. NRG objects to any definition or instruction to the extent that it is inconsistent with or beyond the scope of discovery specified in the Florida Rules of Civil Procedure, the Model Rules of Procedure or the Commission ' s rules on discovery.

4. NRG objects to the interrogatories to the extent that they ask NRG to identify "all" documents or information of any nature. It is possible that not every relevant document may have been reviewed or considered in developing NRG's responses to the discovery requests. NRG will provide all information that NRG obtained after a good faith, reasonable and diligent search in response to these interrogatories.

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

6. NRG objects to each interrogatory to the extent it is vague, ambiguous, overly broad, burdensome, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such interrogatories. NRG reserves and does not waive any objections it may have to the admissibility, authenticity or relevancy of the information provided in its responses to these interrogatories.

7. NRG objects to providing information already in the public record, that is as easily accessible to DEF, or that is already in DEF's possession.

### **SPECIFIC OBJECTIONS**

DEF's Interrogatory No. 1 states:

1. With respect to any and all person(s) you intend or expect to call as an expert witness at the final hearing of this above-captioned matter, please state the following:
  - (a) Identify each such witness and his or her employer or the organization he or she is associated with in any professional capacity;

- (b) State the subject matter on which the expert is expected to testify;
- (c) State the substance of the facts and opinions to which each such witness is expected to testify;
- (d) Provide a summary of the grounds for each opinion for each such witness;
- (e) Identify all reports rendered by any such witness which summarize his or her opinions and conclusions, and which will be relied upon or offered into evidence in connection with his or her testimony in this proceeding; and
- (f) State the scope of employment of each such witness in this proceeding and the compensation for such services.

NRG objects to DEF's Interrogatory No. 1(a)-(f) to the extent that it seeks information from expert witnesses that is beyond the scope of discovery by written interrogatory permitted by Rule 1.280(b) (5), Fla. R.Civ.P.

Respectfully submitted this 11th day of July, 2014.

/s/ Marsha E. Rule

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Marsha E. Rule, Esq.  
Fla. Bar No. 0302066  
Rutledge Ecenia, P.A.  
119 South Monroe Street, Suite 202  
Tallahassee, Florida 32301  
Email: [marsha@rutledge-ecenia.com](mailto:marsha@rutledge-ecenia.com)  
Phone: 850.681.6788  
Fax: 850.681-6515

Richard A. Zambo, Esq.  
Fla. Bar No. 312525  
Richard A. Zambo, P.A.  
2336 S.E. Ocean Boulevard, #309  
Stuart, Florida 34966  
Email: [richzambo@aol.com](mailto:richzambo@aol.com)  
Phone: 772.225.5400

Gordon D. Polozola, Esq.  
General Counsel – South Central Region  
NRG Energy, Inc.  
112 Telly Street  
New Roads, LA 70760  
Email: [Gordon.Polozola@nrgenergy.com](mailto:Gordon.Polozola@nrgenergy.com)  
Phone: 225-618-4084

ATTORNEYS FOR NRG FLORIDA LP

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail this 11th day of July, 2014:

J. Michael Walls  
Blaise N. Gamba  
Carlton Law Firm  
4221 W. Boy Scout Blvd.  
Suite 1000  
Tampa, FL 33607-5780  
[mwalls@CFJBLaw.com](mailto:mwalls@CFJBLaw.com)  
[bgamba@CFJBLaw.com](mailto:bgamba@CFJBLaw.com)

John T. Burnett  
Dianne M. Triplett  
Duke Energy  
P. O. Box 14042  
St. Petersburg, FL 33733  
[John.burnett@duke-energy.com](mailto:John.burnett@duke-energy.com)  
[Dianne.triplett@duke-energy.com](mailto:Dianne.triplett@duke-energy.com)

Matthew R. Bernier  
Paul Lewis, Jr.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301  
[Matthew.bernier@duke-energy.com](mailto:Matthew.bernier@duke-energy.com)  
[Paul.Lewisjr@duke-energy.com](mailto:Paul.Lewisjr@duke-energy.com)

J.R. Kelly  
Charles J. Rehwinkel  
Office of Public Counsel  
C/o The Florida Legislature  
111 W. Madison Street  
Room 812  
Tallahassee, FL 32399-1400  
[Kelly.jr@leg.state.fl.us](mailto:Kelly.jr@leg.state.fl.us)

Robert Scheffel Wright  
John T. LaVia, III  
Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.  
1300 Thomaswood Drive  
Tallahassee, Florida 32308  
[schef@gbwlegal.com](mailto:schef@gbwlegal.com)  
[jlavia@gbwlegal.com](mailto:jlavia@gbwlegal.com)

Jon C. Moyle, Jr.  
Karen A. Putnal  
Moyle Law Firm, P.A.  
1 18 North Gadsden Street  
Tallahassee, Florida 32301  
[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)  
[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)

Michael Lawson  
Florida Public Service Commission  
Office of the General Counsel  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399  
[mlawson@psc.state.fl.us](mailto:mlawson@psc.state.fl.us)

James W. Brew  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, NW  
Eighth Floor, West Tower  
Washington, DC 20007-5201  
[jbrew@bbrslaw.com](mailto:jbrew@bbrslaw.com)

/s/ Marsha E. Rule

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Attorney