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December 5, 2016

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

Re: Docket No. 160186-EI

Dear Ms. Stauffer:

Attached herein is Gulf Power Company's Objections to Citizens' Third Set of Interrogatories (Nos. 75-130) submitted by electronic mail in the above-referenced docket.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. McGee, Jr.".

Robert L. McGee, Jr.
Regulatory and Pricing Manager

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Attachments

cc: Beggs & Lane
Jeffrey A. Stone, Esq.
Gunster Law Firm
Charles A. Guyton, Esq.
Richard A. Melson, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase by Gulf
Power Company.

Docket No. 160186-EI
Dated: December 5, 2016

**GULF POWER COMPANY'S OBJECTIONS TO CITIZENS'
THIRD SET OF INTERROGATORIES (NOS. 75-130)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Gulf Power Company ("Gulf Power," "Gulf," or the "Company") hereby serves its objections to Florida Citizens' ("OPC") Third Set of Interrogatories (Nos. 75-130) (collectively the "Requests" or "Interrogatories") and states as follows:

GENERAL OBJECTIONS

With respect to any "Definitions" and "Instructions" in OPC's Interrogatories, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of OPC's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for information that is not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery. Information of affiliated companies, including the Southern Company, that is directly relevant to Gulf's rate request, including information regarding transactions or cost allocations among Gulf and its affiliated companies may be provided, upon request. Otherwise, no responses to the requests will be made on behalf of persons or entities other than Gulf. Gulf objects to any request that calls for Gulf 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.

Additionally, Gulf generally objects to OPC'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. Gulf 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, Gulf 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, Gulf 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. Gulf 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.

Gulf generally objects to OPC'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.

SPECIFIC OBJECTIONS

Interrogatory No. 80: Gulf objects to OPC's Interrogatory Number 80 to the extent the request calls for Gulf to obtain information from other parties (i.e., The Southern Company) that are not within Gulf Power's possession, custody or control. Additionally, to the extent the request seeks information regarding entities other than Gulf, Gulf objects because the data requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

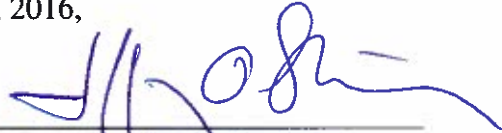
Interrogatory No. 93: Gulf objects to OPC's Interrogatory Number 93. Responding to this interrogatory would require substantial generation of new information, as opposed to locating and producing existing information. Moreover, the new information requested is not consistent with Gulf's fuel inventory policy and has no analytical basis or support. The rules of discovery do not require Gulf to generate new information in order to answer a question posed by another party, where Gulf would not otherwise generate that information. In addition, this request is unduly burdensome. The development of MFR B-18 is extremely time and resource consuming. It has already been done consistent with Gulf's fuel policy. It would be unduly burdensome for Gulf to have to undertake a calculation that is at odds with its fuel inventory policy and has no apparent analytical basis.

Interrogatory No. 103: Gulf objects to OPC's Interrogatory Number 104 because the information requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Data related to tax credits for donations that is recorded and accounted for in "below-the-line" accounts is not relevant to this proceeding.

Interrogatory No. 104: Gulf objects to OPC's Interrogatory Number 104 because the information requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Costs data related to outside services that is recorded and accounted for in "below-the-line" accounts is not relevant to this proceeding.

Interrogatory No. 129: Gulf objects to Interrogatory Number 129 on the grounds that it is not relevant to the subject matter of this action and is not reasonably calculated to lead to the discovery of admissible evidence. The returns earned on Scherer 3 and the associated sales revenues in the wholesale market have been governed by FERC pricing regulation and are not subject to the jurisdiction of the Florida Public Service Commission. Even without the jurisdictional issue, the principles related to retroactive ratemaking would preclude the Commission from considering any gains or losses that Gulf may have experienced in prior periods as a basis for setting current rates. Moreover, to respond to this request would be unduly burdensome to Gulf. Gulf did not calculate Scherer 3 returns in its ordinary course of business for the entire historical period in question, and therefore, for Gulf to calculate this information would require extensive effort beyond what is contemplated by the Florida Rules of Civil Procedure. Furthermore, at this point it is uncertain that the level of detail needed to perform accurate return calculations exists.

Respectfully submitted this 5th day of December, 2016,



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates)
By Gulf Power Company)
)

Docket No.: 160186-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic mail this 5th day of December, 2016 to the following:

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