

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Adoption of Numeric Conservation
Goals for Tampa Electric Company

DOCKET NO.: 971007-EG

**LEAF'S RESPONSE TO TAMPA ELECTRIC COMPANY'S
MOTION FOR A PROTECTIVE ORDER**

Pursuant to Rule 28-106.204, FAC, Legal Environmental Assistance Foundation, Inc. ("LEAF") files this response to Tampa Electric Company's ("TECO's") Motion for a Protective Order and states:

1. LEAF will continue to work with TECO in an effort to resolve the issues raised in TECO's Objections, Motion for a Protective Order, and Written Response to LEAF's Second Set of Interrogatories and Second Request for Production of Documents (hereinafter "TECO's filing") Though such effort is ongoing, Rule 28-106.204, FAC, requires LEAF to respond to written motions within seven days or risk Commission action without LEAF's input.

2. Under the title "Motion for a Protective Order," Paragraph 9 of TECO's Filing states that "to extent that a Motion for a Protective Order is required, Tampa Electric's objections are to be construed as a request for a Protective Order."

3. To the extent the aforesaid paragraph constitutes a motion for a protective order LEAF objects to the issuance of any such order in that; the subject interrogatories and document production requests are relevant, sufficiently clear, reasonably calculated to lead to the discovery of admissible evidence, and permissible under the Florida Rules of Civil Procedure and Florida law; neither the action requested nor the grounds therefore have been fully or sufficiently stated; and TECO's claims of privilege do not contain sufficient disclosure to enable assessment of their applicability.

WHEREFORE, LEAF asks that the Commission deny TECO's Motion for a Protective Order.

Respectfully submitted,

Debra Swim

Debra Swim, Attorney
Legal Environmental Assistance Foundation, Inc.
1114 Thomasville Road, Suite E
Tallahassee, FL 32303-6288
(850) 681-2591

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of LEAF's Response to Tampa Electric Company's Motion for Protective Order was mailed this 24th day of February, 1999 to:

Leslie Paugh, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0950

Jack Shreve, Esq.
Office of Public Counsel
111 W. Madison
Tallahassee, FL 32399-1400

Vicki Kaufman, Esq.
117 S. Gadsden St.
Tallahassee, FL 32301

Charles A. Guyton, Esq.
Steel, Hector & Davis
215 S. Monroe St., Suite 601
Tallahassee, FL 32301-1804

John McWhirter, Esq.
P.O. Box 3350
Tampa, FL 33601

Jeffrey A. Stone, Esq.
Beggs & Lane
P.O. Box 12950
Pensacola, FL 32576-2950

Lee L. Willis, Esq.
James D. Beasley, Esq.
Ausley & McMullen
227 South Calhoun St.

James A. McGee, Esq.
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733

Mollie Lampi, Esq.
Pace University Energy Project
122 S. Swan Street
Albany, NY 12110

Debra Swim
Debra Swim, Esq.