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October 30, 2008

HAND DELIVERED

Ms. Ann Cole, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
08 OCT 30 PM 3:29
COMMISSION
CLERK

Re: Petition for Rate Increase by Tampa Electric Company
FPSC Docket No. 080317-EI

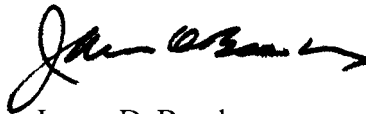
Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Preliminary Objections to Citizens' Fifth Set of Interrogatories (Nos. 91-93).

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp
Enclosure

cc: All Parties of Record (w/enc.)

COM	1
ECR	1
GCL	2
OPC	1
RCP	1
SSC	1
SGA	2
ADM	1
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase)
by Tampa Electric Company.)
_____)

DOCKET NO. 080317-EI

FILED: October 30, 2008

**TAMPA ELECTRIC COMPANY'S PRELIMINARY OBJECTIONS
TO CITIZENS' FIFTH SET OF INTERROGATORIES**

Tampa Electric Company ("Tampa Electric" or the "company") submits the following Preliminary Objections to Citizens' Fifth Set of Interrogatories, specifically Nos. 91 and 92.

I. General Objections.

Tampa Electric asserts the following general objections to Citizens' Fifth Interrogatories, Nos. 91-93:

1. Tampa Electric objects to each and every individual interrogatory to the extent it calls 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, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. Tampa Electric in no way intends to waive any such privilege or protection.

2. Tampa Electric objects to each individual interrogatory to the extent it requires production of information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. Tampa Electric in no way intends to waive claims of confidentiality and will only produce such information subject to protective order, the Commission's rule on confidentiality and non-disclosure agreements for

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FPSC-COMMISSION CLERK

consultants hired by OPC. In order to facilitate OPC's review, Tampa Electric will file its request for a protective order prior to providing an answer.

3. Tampa Electric objects to any definition or instruction or question in any interrogatory that seeks information from persons or entities who are not parties to this proceeding or that are not subject to discovery under applicable rules.

4. Tampa Electric 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.

5. Tampa Electric objects to each and every 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 discovery requests. The company will attempt to seek clarification in accordance with the Order on Procedure in this docket.

6. Tampa Electric objects on grounds of relevancy to each interrogatory seeking information relating to transactions or other business activity of Tampa Electric's non-regulated sister companies where Tampa Electric was not a party to the transaction or a participant in the business activity.

7. Tampa Electric expressly reserves and does not waive any objections it may have to the admissibility, authenticity or relevancy of the information provided in its responses to the subject interrogatories.

8. Tampa Electric objects to any attempt by the party seeking discovery to evade any numerical limitations set on interrogatories by asking multiple independent discovery requests within single individual discovery requests and subparts thereof. By making these general

objections at this time, Tampa Electric does not waive or relinquish its right to assert additional general and specific objections to the subject discovery at the time Tampa Electric's response is due.

III. Specific Objections.

In addition to the general objections set forth above, which are incorporated herein by reference as to each and every interrogatory contained in OPC's Fifth Set of Interrogatories (Nos. 91-93), Tampa Electric asserts the following specific objections:

91. Please identify all Florida PSC orders that authorize annualization of plant put in service during a projected test year. Please identify the page(s) and paragraph(s) that the language authorizing this annualization is found.

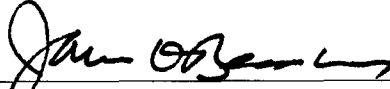
Objections: In addition to its general objections, which are incorporated herein by reference, the Company objects to this interrogatory on grounds that it cannot answer the interrogatory without disclosing materials prepared in anticipation of litigation and the mental impressions and trial strategies of its attorneys, all of which are privileged and beyond the scope of discovery.

92. Please identify all Florida PSC orders that imply authority to annualize plant put in service during a projected test year. Please identify the page(s) and paragraph(s) that the language implying such authorization to annualize is found.

Objections: In addition to its general objections, which are incorporated herein by reference, the Company objects to this interrogatory on grounds that it cannot answer the interrogatory without disclosing materials prepared in anticipation of litigation and the mental impressions and trial strategies of its attorneys, all of which are privileged and beyond the scope of discovery.

DATED this 30th day of October 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lee L. Willis", is written over a horizontal line.

LEE L. WILLIS
JAMES D. BEASLEY
KENNETH R. HART
J. JEFFRY WAHLEN
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE
DOCKET NO. 080317-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Objections to Citizens' Fifth Interrogatories (Nos. 91 and 92), filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand delivery (*) on this 30th day of October 2008 to the following:

Keino Young/Martha Brown*
Jennifer Brubaker/Jean Hartman
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

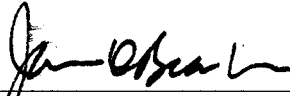
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