

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and purchase power cost recovery
clause with generating performance incentive
factor

Docket No: 140001-EI
Date: July 22, 2014

**FLORIDA POWER & LIGHT COMPANY'S
OBJECTIONS TO THE OFFICE OF PUBLIC COUNSEL'S
FIRST SET OF INTERROGATORIES (Nos. 1-10) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 1)**

Florida Power & Light Company ("FPL"), pursuant to Rules 1.340 and 1.350, Florida Rules of Civil Procedure, Rule 28-106.206, Florida Administrative Code, and Order No. PSC-14-0084-PCO-EI, submits the following Objections to the Office of Public Counsel's ("OPC") First Set of Interrogatories (Nos. 1-10) and First Request for Production of Documents (No. 1).

I. General Objections

FPL objects to each and every discovery request that 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. FPL in no way intends to waive any such privilege or protection. The nature of the documents, if any, will be described in a privilege log prepared and provided by FPL.

FPL is a large corporation with employees located in many different locations. In the course of its business, FPL creates numerous documents that are not subject to Florida Public Service Commission or other governmental record retention requirements. These documents are kept in numerous locations and frequently are moved from site to site as employees change jobs or as business is reorganized. Therefore, it is possible that not every relevant document may have been consulted in developing FPL's responses to the discovery requests. Rather, these

responses provide all of the information that FPL obtained after a reasonable and diligent search conducted in connection with these discovery requests. To the extent that the discovery requests propose to require more, FPL objects on the grounds that compliance would impose an undue burden or expense on FPL.

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

FPL objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests. Any responses provided by FPL will be provided subject to, and without waiver of, the foregoing objection.

FPL also objects to each and every discovery request to the extent it calls for FPL to prepare information in a particular format or perform calculations or analyses not previously prepared or performed as unduly burdensome and purporting to expand FPL's obligations under applicable law.

FPL objects to providing information to the extent that such information is already in the public record before a public agency and available through normal procedures or is readily accessible through legal search engines.

FPL objects to each and every discovery request that calls for the production of documents and/or disclosure of information from NextEra Energy, Inc. and any subsidiaries and/or affiliates of NextEra Energy, Inc. that do not deal with transactions or cost allocations between FPL and either NextEra Energy, Inc. or any subsidiaries and/or affiliates. Such documents and/or information do not affect FPL's rates or cost of service to FPL's customers.

Therefore, those documents and/or information are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, FPL is the party appearing before the Florida Public Service Commission in this docket. To require any non-regulated entities to participate in irrelevant discovery is by its very nature unduly burdensome and overbroad. Subject to, and without waiving, any other objections, FPL will respond to the extent the request pertains to FPL and FPL's rates or cost of service charged to FPL's customers. To the extent any responsive documents contain irrelevant affiliate information as well as information related to FPL and FPL's rates or cost of service charged to its customers, FPL may redact the irrelevant affiliate information from the responsive documents.

Where any discovery request calls for production of documents, FPL objects to any production location other than the location established by FPL, at FPL's Tallahassee Office located at 215 South Monroe Street, Suite 810, Tallahassee, Florida, unless otherwise agreed by the parties.

FPL objects to each and every discovery request and any instructions that purport to expand FPL's obligations under applicable law.

In addition, FPL reserves its right to count discovery requests and their sub-parts, as permitted under the applicable rules of procedure, in determining whether it is obligated to respond to additional requests served by any party.

FPL expressly reserves and does not waive any and all objections it may have to the admissibility, authenticity or relevance of the information provided in its responses.

II. Specific Objections

A. Interrogatories

Interrogatory No. 9. FPL objects to Interrogatory No 9 as not relevant or material. Interrogatory No. 9 seeks information regarding the anticipated service life of the steam generators within St. Lucie Unit 2. The life expectancy of the steam generators is not relevant to setting FPL's 2015 fuel factors and therefore is not relevant to this proceeding.

Interrogatory No. 10. FPL objects to Interrogatory No 10 as not relevant or material. Interrogatory No. 10 seeks information regarding the tube wear of the St. Lucie Unit 2 steam generators. This information ultimately is related to the timing for replacement of the steam generators. Such tube wear or replacement does not affect costs that are recovered through the fuel clause through FPL's 2015 fuel factors and therefore is not relevant to this proceeding.

B. Requests for Production

Request for Production No. 1. FPL objects to Request for Production No. 9 as not relevant or material. Request No 9. seeks documents supporting FPL's response to Interrogatory No. 9, which, as explained above, is not relevant because the life expectancy of the steam generators within St. Lucie Unit 2 is not relevant to setting FPL's 2015 fuel factors.

Respectfully submitted this 22nd day of July 2014.

R. Wade Litchfield, Esq.
Vice President and General Counsel
John T. Butler, Esq.
Assistant General Counsel-Regulatory
Maria J. Moncada, Esq.
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
Telephone: (561) 304-5795
Facsimile: (561) 691-7135

By: s/ Maria Jose Moncada
Maria Jose Moncada
Fla. Bar No. 0773301

CERTIFICATE OF SERVICE
Docket No. 140001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service on this 22nd day of July 2014 to the following:

Martha F. Barrera, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrera@psc.state.fl.us
jgilcher@psc.state.fl.us

Jon C. Moyle, Esq.
Moyle Law Firm, P.A.
118 N. Gadsden St.
Tallahassee, Florida 32301
Counsel for FIPUG
jmoyle@moylelaw.com

Beth Keating, Esq.
Gunster Law Firm
Attorneys for Florida Public Utilities
215 South Monroe St., Suite 601
Tallahassee, Florida 32301-1804
bkeating@gunster.com

John T. Burnett, Esq.
Dianne M. Triplett, Esq.
Attorneys for Duke Energy Florida
299 First Avenue North
St. Petersburg, Florida 33701
john.burnett@duke-energy.com
dianne.triplett@duke-energy.com

James D. Beasley, Esq.
J. Jeffrey Wahlen, Esq.
Ashley M. Daniels, Esq.
Ausley & McMullen
Attorneys for Tampa Electric
P.O. Box 391
Tallahassee, Florida 32302
jbeasley@ausley.com
jwahlen@ausley.com
adaniels@ausley.com

Jeffrey A. Stone, Esq.
Russell A. Badders, Esq.
Steven R. Griffin, Esq.
Beggs & Lane
Attorneys for Gulf Power
P.O. Box 12950
Pensacola, Florida 32591-2950
jas@beggslane.com
rab@beggslane.com
srg@beggslane.com

Robert Scheffel Wright, Esq.
John T. LaVia, III, Esq.
Gardner, Bist, Wiener, et al
Attorneys for Florida Retail Federation
1300 Thomaswood Drive
Tallahassee, Florida 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

James W. Brew, Esq.
F. Alvin Taylor, Esq.
Attorney for White Springs
Brickfield, Burchette, Ritts & Stone, P.C
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201
jbrew@bbrslaw.com
ataylor@bbrslaw.com

J. R. Kelly, Esq.
Patricia Christensen, Esq.
Charles Rehwinkel, Esq.
Joseph A. McGlothlin, Esq.
Erik L. Saylor, Esq.
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, Florida 32399
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us
mcglathlin.joseph@leg.state.fl.us
saylor.erik@leg.state.fl.us

Michael Barrett
Division of Economic Regulation
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
mbarrett@psc.state.fl.us

By: s/ Maria Jose Moncada
Maria Jose Moncada
Fla. Bar No. 0773301