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Steel Hector & Davis

Tallahassee, Florida

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ORIGINAL
FILE COPY

February 20, 1995

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399

RE: DOCKET NO. 950001-EI

Dear Ms. Bayo:

Enclosed for filing please find an original and fifteen (15) copies of Florida Power & Light Company's Objections to Florida Steel Corporation's Third Set of Interrogatories to Florida Power & Light Company (Nos. 15-16).

Very truly yours,


Matthew M. Childs, P.A.

- MMK 2
- AFD
- APT
- OPF
- CMC
- MMK
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- Quincy 5
- cc: All Parties of Record
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- 1
- W
- GH


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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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IN RE: Investigation of Fuel Cost)
Recovery Clauses of Electric) DOCKET NO. 950001-EI
Companies) FILED: FEBRUARY 20, 1995
_____)

FLORIDA POWER & LIGHT COMPANY'S
OBJECTIONS TO FLORIDA STEEL CORPORATION'S
THIRD SET OF INTERROGATORIES TO FLORIDA
POWER & LIGHT COMPANY (NOS. 15-16)

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.034, Florida Administrative Code, the Florida Rules of Civil Procedure and the Commission's Order Establishing Procedure, hereby files these objections to Florida Steel Corporation's ("Florida Steel") "Third Set of Interrogatories to Florida Power & Light Company (NOS. 15-16)" ("Third Interrogatories") and states:

Objection to Instructions and Definitions

Florida Steel provides directions on various topics and definitions of various words, many, if not all, of which are governed by the Rules of the Commission, the Commission's Order Establishing Procedure, the Florida Rules of Civil Procedure, Florida Statutes, and Florida common law. FPL intends to respond to these interrogatories as it understands its duty under law

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FPSC-RECORDS/REPORTING

notwithstanding any instruction or definition by Florida Steel to the contrary. To the extent that Florida Steel's instructions and definitions alter or expand such duty, FPL objects.

Objection to Instruction 1

In paragraph 1 of the section of its Third Interrogatories entitled "Instructions," Florida Steel states:

"Provide the name, address and relationship to the Company of each person providing answers to the following inquiries and identify which question(s) each person answered."

FPL does not object to providing the information requested in Instruction 1. However, FPL believes that the instruction itself actually constitutes interrogatories and not instructions. Therefore, FPL considers this "Instruction" to count against the 100 interrogatory limit contained in the Commission's Order Establishing Procedure. See Order No. PSC-95-0106-PCO-EI Issued January 20, 1995. Although Florida Steel's Third Interrogatories are numbered 15 through 16, FPL views the Third Interrogatories as consisting of at least 3 separate interrogatories. Florida Steel has now propounded at least 45 interrogatories to FPL.

Objection to Instruction 2

In paragraph 2 of the section of its Third Interrogatories entitled "Instructions," Florida Steel states:

"All information is to be divulged which is in the possession of FPL, FPL's attorneys, investigators, agents, employees or other representatives."

FPL objects to Instruction 2. FPL claims and does not waive the fullest protection of the attorney-client privilege, the work-product doctrine, and all other applicable privileges and exemptions from disclosure. FPL intends to undertake all steps necessary to protect its privileged communications as required by the Rules of the Commission, the Florida Rules of Civil Procedure and Florida law. Furthermore, FPL claims and does not waive the fullest protection of its confidential proprietary business information as is permissible under law.

OBJECTIONS TO INTERROGATORIES

Objection to Interrogatory 15

In paragraph 15 of the section of its Third Interrogatories entitled "Interrogatories," Florida Steel states:

Referring to Silva Rebuttal Document No. 1, please provide each reason for the difference between the actual cost of natural gas per

MMBtu for November 1994 (line 62, column (c))
and the projected cost of natural gas per
MMBtu for December 1994 (line 62, column
(d)).

FPL objects to Interrogatory 16. This interrogatory encompasses proprietary confidential business information. FPL reserves the fullest protection for its proprietary confidential business information as is permissible under Florida law. FPL will take appropriate steps to protect its confidential documents and information pursuant to Commission Rule and Section 366.093, Florida Statutes.

Objection to Interrogatory 16

In paragraph 16 of the section of its Third Interrogatories entitled "Interrogatories," Florida Steel states:

"Please provide FPL's actual fixed gas charges by cost component for the period January through December 1994."


FPL objects to Interrogatory 16. This interrogatory encompasses proprietary confidential business information. FPL reserves the fullest protection for its proprietary confidential business information as is permissible under Florida law. FPL will take appropriate steps to protect its confidential documents and

information pursuant to Commission Rule and Section 366.093,
Florida Statutes.

DATE this 20TH day of February, 1995.

Respectfully submitted,

STEEL HECTOR & DAVIS
215 South Monroe Street
Suite 601
Tallahassee, FL 32301-1804
Attorneys for Florida Power
& Light Company



Matthew M. Childs, P.A.
Jonathan Sjostrom

**CERTIFICATE OF SERVICE
DOCKET NO. 950001-EI**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Objections to Florida Steel Corporation's Third Set of Interrogatories to Florida Power & Light Company (Nos. 15-16) have been furnished by Hand Delivery** or U.S. Mail this 20th day of February, 1995, to the following:

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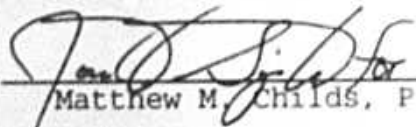
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