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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Review of Florida Power Corporation's Earnings, Including Effects of Proposed Acquisition of Florida Power Corporation by Carolina Power & Light

DOCKET NO. 000824-EI

Submitted for Filing:
November 19, 2001

COMMISSION CLERK

FLORIDA POWER CORPORATION'S OBJECTIONS TO CITIZENS' SEVENTH SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO FPC

Pursuant to § 350.0611(1), Fla. Stat. (2000), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P.1.350, Florida Power Corporation, ("FPC") serves its objections to Florida's Citizens ("Citizens") Seventh Set of Requests for Production and states as follows:

GENERAL OBJECTIONS

FPC objects to the request that documents be produced at the Office of Public Counsel, Claude Pepper Building, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400.

FPC is required only to produce documents at a reasonable time, place and manner.

FPC objects to any request that calls for the production of documents 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 the response is first made to these requests or is later

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determined to be applicable based on the discovery of documents, investigation or analysis. FPC in no way intends to waive any such privilege or protection.

In certain circumstances, FPC may determine upon investigation and analysis that

documents that respond to certain requests to which objections are not otherwise asserted are

Signature and stamp: FPSC BUREAU OF RECORDS

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FPSC-COMMISSION CLERK

confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to produce documents in response to this request, FPC is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement and protective order. FPC hereby asserts its right to require such protection of any and all documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.

FPC further objects to these requests and any definitions or instructions that purport to expand FPC's obligations under applicable law.

FPC objects to any request that requires the production of "all" or "each" as it cannot give assurances, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

FPC incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.

SPECIFIC OBJECTIONS

Definitions

FPC will produce documents in the hands of Dr. Cicchetti as a courtesy in connection with these requests.

FPC objects to the definition of the term "management" or "manager" as overbroad and ambiguous. FPC will attribute the usual and customary meaning of this word to its use in these requests.

Instructions

FPC objects to the instructions calling upon FPC to provide designated information regarding any documents withheld from production to the extent it purports to expand FPC obligations under the applicable rules of procedure. FPC will comply with its obligations under applicable rules of procedure.

FPC objects to the instruction to produce “originals” to the extent it purports to expand FPC’s obligations under the Uniform Rules and Florida Rule of Civil Procedure 1.350. FPC will comply with all applicable rules.

DOCUMENTS REQUESTED

108. For purposes of this request, please refer to page 34, line 16 of Dr. Cicchetti’s testimony. Did Dr. Cicchetti, his staff, or the Company conduct a ratio analysis using the database facilitated in Exhibits CJC-7, CJC-8, and CJC-9? If affirmative, please provide this analysis.

FPC objects to this request as compound and reserves its right to count this request as two (2) separate requests for the purposes of determining its obligation to continue to provide responses under the order governing procedure in this case.

109. Please provide all orders in your possession, custody or control issued by state regulatory commissions on merger related issues and analyses that are similar to the ones presented in this proceeding in which Dr. Cicchetti submitted testimony.

110. For purposes of this request, please refer to page 40, and Exhibits CJC-6, CJC-7, CJC-8, CJC-9, CJC-10 of Dr. Cicchetti’s testimony.

- (a) Please provide, in electronic format, all data in the merger database that was used in this analysis.

- (b) Please provide all descriptive statistics for the variables used in the regression analysis.

- (c) Please provide any batch files that were used to execute the program that was facilitated to estimate the regression equation. If this analysis was performed in a spreadsheet program, please provide, in electronic form, the spreadsheet used to estimate the regression.

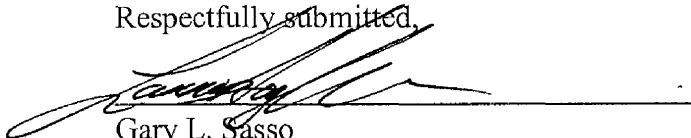
- (d) Please provide all statistics for this regression equation, this would include, but is not limited to:
 - i. All parameter estimates;
 - ii. The standard errors for the parameter estimates;
 - iii. The t-statistics for the parameter estimates; and
 - iv. All summary regression equation statistics including the F-statistic, the R-square statistic, the adjusted R-square statistic, the AIC and BIC statistic, and any other standard statistical information produced by the statistical package used in this analysis.

- (e) Please provide all diagnostic tests that were used in the regression analysis and the results of these tests (i.e., tests facilitated to estimate any potential violation to Classical Normal Linear Regression Model Assumptions).

- (f) Please provide the results from alternative specifications that were used by Dr. Cicchetti, his staff, or the Company to examine forecasted synergy savings.

- (g) Please provide any manuscripts submitted for publication and all peer-review or editorial comments associated with the analysis presented in this Exhibit.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing has been furnished via U. S. Mail to the following this 19th day of NOVEMBER 2001.

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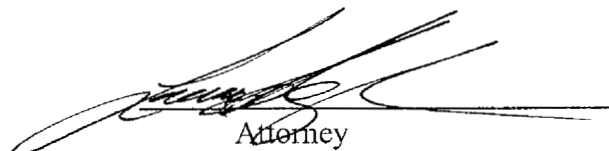
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