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February 6, 2002

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VIA FEDERAL EXPRESS

Blanca S. Bayó, Director
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2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0870

Re: Docket No.: 001148-EI
Publix Super Market Inc.'s, Objections to Florida Power and Light's First Set of Interrogatories and First Request for Production of Documents to Publix

Dear Ms. Bayó:

Enclosed please find the original and fifteen (15) copies of (i) Publix Super Markets Inc.'s, Objections to Florida Power and Light's First Set of Interrogatories and (ii) Publix Super Markets, Inc.'s Objections to Florida Power and Lights' First Request for Production of Documents, both in the above-referenced docket. Copies of these filings have also been provided on a 1.44MB floppy disc in Microsoft Word.

Sincerely,



Thomas A. Cloud, Esquire

GRAY, HARRIS & ROBINSON, P.A.

AUS TAC:gcj
CAF Enclosures
CMP cc: All individuals on docketing service list
COM _____
CTR _____
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OPC _____
MMS _____
SEC _____
OTH _____
Copy

Interrog. 1-9
DOCUMENT NUMBER-DATE

01497 FEB 7 8



Poo. 1-2
DOCUMENT NUMBER-DATE

01498 FEB 7 8

CLERMONT

FPSC-COMMISSION CLERK MELBOURNE

FPSC-COMMISSION CLERK TAMPA

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Review of the Retail Rates of FPL

DOCKET NO. 001148-EI

Submitted for Filing:
February 6, 2002

PUBLIX SUPER MARKETS, INC.'s OBJECTIONS TO FLORIDA POWER & LIGHT'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO PUBLIX SUPER MARKETS, INC. (Nos. 1-2)

Pursuant to Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P. 1.350, Publix Super Markets, Inc. ("Publix"), by and through its undersigned counsel, hereby objects to Florida Power & Light's (hereafter "FPL") First Request for Production of Documents to Publix Super Markets, Inc. (Nos. 1-2), and in support thereof states the following:

1. General Objections.

A. Publix objects to any request for production that calls for information as to Publix's positions on the issues identified in Commission Order No. PSC-02-0102-PCO- EI since (i) any such request is premature prior to the receipt and review of even the initial discovery required from FPL by Publix in order to prepare its direct testimony and (ii) Publix will not likely be able to identify any such documents prior to end of the twenty (20) day period by which answers to this discovery are due under the accelerated discovery response period set forth Commission Order No. PSC-02-0089-PCO-EI.

B. Publix objects to any 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 the response is first made to these requests or is later determined to be applicable based on the discovery of documents, investigation or analysis. Publix may determine upon investigation and analysis that information responsive to certain requests to which objections are not otherwise asserted are confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order if at all. By agreeing to provide such information in response to such request, Publix is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement and protective order. Publix 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.

C. Publix objects to these requests to the extent that they require Publix to prepare information or perform calculations not previously prepared or performed which would expand Publix's obligations under applicable law.

D. Publix reserves its right to count requests and their subparts (as permitted under applicable rules of procedure) in determining whether it is obligated to respond to additional requests served by any party.

2. Specific Objections to Requests.

Request:

2. For each witness you identified in your answers to FPL's First Set of Interrogatories:

- a. Please produce all direct, rebuttal and/or sur-rebuttal testimony filed with any Public Utility Commission or Public Service Commission, or the Federal Energy Regulatory**

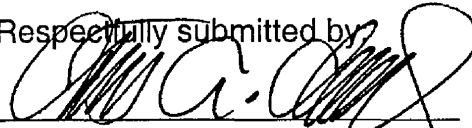
Commission in the last five (5) years relating to the same and/or similar topic on which the witness is filing testimony in this proceeding.

- b. Please produce all documents, including but not limited to: workpapers, spreadsheets, electronic files, texts, treatises, textbooks or other materials that will be referred to and/or relied upon by the witness in the course of preparing his or her testimony in this proceeding.**
- c. Please produce all articles published or submitted for publication by the witness in the last five (5) years on the same topic and/or similar to the one that the witness is filing testimony on in this proceeding.**
- d. Please produce all documents and source document used to create and develop the exhibits to the witness's testimony, if any.**
- e. Please produce all documents or other materials reviewed for any purpose, even if not relied upon, by the witness in the course of preparing his or testimony in this proceeding.**

Objection:

Publix objects to this request for documents as compound and reserves the right to count it as five (5) separate requests for production for purposes of determining its obligation to continue to provide documents under the order governing procedure in this case.

Respectfully submitted by



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the following parties of record and interested parties, this 6th day of February, 2002:

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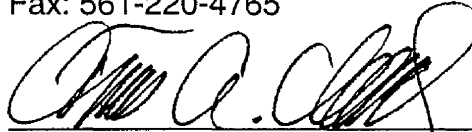
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