

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED FPSC

In Re: Florida Power & Light Company's)
Petition for Determination of Need for Turkey)
Point Unit 5 Electrical Power Plant Power)

Docket No. 040206-EU6 PH 4: 55
Filed April __, 2004 COMMISSION CLERK

CALPINE ENERGY SERVICES, L.P.'s FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS (Nos. 1 - 71) TO FLORIDA POWER & LIGHT
COMPANY

Calpine Energy Services, L.P. (hereinafter "Calpine"), by and through its undersigned
counsel, files this First Request for Production of Documents (Nos. 1 - 71) pursuant to Rule 1.350,
Florida Rules of Civil Procedure, and Rule 28-106.206, Florida Administrative Code, and requests
that the Petitioner, FLORIDA POWER & LIGHT COMPANY (hereinafter "FPL"), provide
copies of the following documents or make such documents available for inspection by Calpine
within the time frames provided for in these proceedings:

DEFINITIONS

A. "Documents" means any written, recorded, filmed or graphic matter, whether
produced, reproduced, or on paper, cards, tapes, film, electronic facsimile, electronic mail, computer
storage device or any other media, including, but not limited to, memoranda, notes, minutes, records,
photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax
returns, electronic mail transmissions, checks, check stubs, reports, studies, charts, graphs,

- AUS statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals,
CAF
CMP
COM appointment calendars, records or recordings or oral conversations, work papers, and also including,
CTR
ECR but not limited to, originals, whether by interlineation, receipt stamp, notation, indication of copies
GCL
CPC sent or received or otherwise, and drafts, which are in the possession, custody or control of
MMS
SEC
OTH Defendant or in the possession, custody or control of the present or former agents, representatives

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or attorneys of FPL, or any and all persons acting on its behalf, including documents at any time in the possession, custody or control of such individuals or entities or known by Plaintiff to exist.

B. "You" or "Your" means the Petitioner in these proceedings, Florida Power & Light Company, and its corporate affiliate that may be in possession of documents requested.

C. "Bid process" means the process by which you discussed, prepared, issued, managed, scored, evaluated, changed, rejected, announced, or otherwise took action relative to the Request for Proposal you issued on or about August 25, 2003.

D. "RFP" means the Request for Proposal you issued on or about August 25, 2003.

E. If there is objection to the production of any document or part thereof under the claim of privilege or work product, then please identify the document in a manner sufficient to enable the Commission to rule upon the claim of privilege or work product by stating, as to each such document, the date of the document, its sender(s) or preparer(s), its addressee(s), the person(s) to whom the document was shown or to whom copies were furnished, the subject matter of the document and the person in whose custody the document is presently located.

F. If any document requested was, but is no longer, in your possession, custody or control, then please state whether the document is missing or lost, has been destroyed, has been transferred to another person or has otherwise been disposed of. For each such document, please explain the circumstances surrounding its disposition and describe the subject matter of the document.

G. If you do not clearly understand, or have any questions about, the definitions, instructions, or any request for documents, please contact counsel for Calpine promptly for clarification. These requests are deemed to be continuing requests requiring you to furnish additional documents covered by these requests as they become known and available.

DOCUMENTS REQUESTED

1. Retainer Agreement of Alan Taylor.
2. Any and all other documents setting for scope of work requested for Alan Taylor.
3. Any and all documents exchanged between Alan Taylor and Florida Power & Light Company.
4. Any and all documents each witness relied upon in preparing his testimony.
5. Drafts of the testimony of each witness.
6. A copy of Sedway's Consulting Response Surface Model.
7. Any and all copies of utility resource RFPs that Alan Taylor has previously developed.
8. The specific set of runs, as referenced in his testimony, that Mr. Taylor asked FPL to execute with EGEAS that he used to calibrate the RSM Model.
9. Any and all documents reflecting FPL assumptions about future natural gas costs.
10. Any and all documents relating to FPL production cost data supplied to Alan Taylor at the start of the project as referenced in Mr. Taylor's testimony, page 161, line 11.
11. Any and all documents related to water cooling to be used at the Turkey Point Unit 5.
12. Any and all documents reflecting the heat rates, either guaranteed or projected, for the steam turbines to be used at Turkey Point Unit 5.
13. Any and all documents reflecting operating characteristics, including guaranteed or projected performance, of the steam turbines to be used at Turkey Point Unit 5.
14. Any and all documents reflecting operating characteristics, including guaranteed or projected performance, of the heat recovery steam generators to be used at Turkey Point Unit 5.

15. Any and all documents you relied upon for testimony regarding how rating agencies view some portion of a utility's capacity payment obligations as the equivalent of debt on the utility's balance sheet.

16. Any and all documents prepared within the last five (5) years related to FPL's integrated resource planning approach as described in the testimony of Steven R. Sim.

17. Any and all documents relied upon to support the contention that rating agencies' decisions downgrade rating agencies' opinion of a utility's creditworthiness is influenced by a utility's capacity payment obligations to a power provider.

18. Version EGEAS 7.3.2 of the Model used to evaluate the bids, and all related documents which facilitate the use of this Model.

19. All internal correspondence, including e-mails, regarding the bid process you used to select Turkey Point Unit 5.

20. All documents related to your decision to self-supply the energy for which you sought proposals pursuant to the RFP.

21. All documents exchanged between you and third parties, including bidders, related to the bid process or RFP.

22. All correspondence between you and any third party consultant who was involved in the bid process.

23. All documents reflecting your evaluation of the bids received during the bid process and the criteria used to evaluate bids.

24. All documents reflecting the process used and decisions made in preparing a short list of bidders.

25. A copy of all agreements between you and the entity who licensed your use of Model

EGEAS 7.3.2.

26. All documents, including e-mails, Steven Scruggs sent, received or was copied on related to the Turkey Point RFP or this need determination proceeding.
27. All documents related to the development of the RFP, including drafts of the RFP document.
28. Documents, including agreements and correspondence, between you and any third party you used to assist in the evaluation of the bids during the bid process.
29. All documents reflecting the costs and operating characteristics for each bid as referenced in your pre-filed testimony.
30. All documents related to the cost effectiveness of Turkey Point Unit 5 to meet FPL's need for additional electrical capacity and energy.
31. Copies of any documents related to Steven Scruggs' involvement in the Request for Proposal process.
32. Copies of any documents relating to your preference, if any, to "self-building" facilities to service the need of your native load.
33. Documents reflecting the ranking of FPL self-build options that were considered before selecting Turkey Point Unit 5.
34. All documents related to discussions, meeting or other communications you had with PSC staff or Commissioners related to the Turkey Point Unit 5 need determination hearing.
35. All documents, prepared in the last five (5) years, related to your generation strategy.
36. All documents upon which you rely for the costs of the power block proposed for Turkey Point Unit 5.
37. All documents upon which you rely for the costs of transmission interconnection and

integration for Turkey Point Unit 5.

38. All documents upon which you rely for the costs of off-site gas mainline improvements for Turkey Point Unit 5.

39. All documents prepared by Mr. Alan Sedway reflecting his evaluation of proposals reviewed by FPL.

40. All documents related to the objections to FPL's RFP filed by the Florida Partnership for Affordable Competitive Energy ("PACE") with the Florida Public Service Commission.

41. Strategic plans for the past five years developed by FPL's Power Generation Department referenced on page 2 of Mr. Silva's testimony.

42. Documents discussing business plans for FPL's Power Generation Department or similar FPL business unit for the past 5 years.

43. All documents relied upon by FPL witness Dewhurst for his testimony concerning FPL's use of an equity adjustment.

44. All documents relied upon by FPL witness Dewhurst for his testimony concerning the status of the independent power industry.

45. All documents, including contracts, reflecting the cost of the power block you intend to use for Turkey Point Unit 5.

46. All documents you relied upon in assessing security risks associated with locating the 4 on 1 combined cycle project at the Turkey Point generating site.

47. All documents related to the environmental permitting of the Turkey Point Unit 5 facility.

48. All documents related to how proposals were evaluated for the negative risks associated with contracting with a particular power provider.

49. Please provide all versions and revisions of the construction schedules associated with FPL's current construction projects or FPL's projects that have come into service within the last three (3) years.

50. Please provide all documents tracking expenses and costs of FPL generation projects under construction as compared to budgeted costs.

51. Please provide all documents, including any contractual arrangements, between you and any supplier of combustion turbines to provide combustion turbines for FPL's Turkey Point Unit 5.

52. Please provide all documents, including any contractual arrangements, exchanged between you and any supplier of heat recovery steam generators to provide heat recovery steam generators for FPL's Turkey Point Unit 5.

53. Please provide all documents, including any contractual arrangements, exchanged between you and any supplier of turbine generators to provide turbine generators for FPL's Turkey Point Unit 5.

54. Please provide all documents, including any contractual arrangements, exchanged between you and any entity for the provision of construction services for FPL's Turkey Point Unit 5.

55. Please provide all documents, including any contractual arrangements, exchanged between you and any entity for the provision of engineering services for FPL's Turkey Point Unit 5.

56. Please provide all documents, including any contractual arrangements, exchanged between you and any entity for the operation of FPL's Turkey Point Unit 5.

57. Please provide all documents, including any contractual arrangements, exchanged

between you and any entity for the provision of maintenance services for FPL's Turkey Point Unit 5.

58. Please provide all documents, including any contractual arrangements, exchanged between you and any entity for the provision of fuel transport services for FPL's Turkey Point Unit 5.

59. Please provide all documents, regarding interconnection agreements or plans to connect FPL's Turkey Point Unit 5 to the grid.

60. Any and all documents supporting the statement in Paragraph 14 of your petition that Turkey Point Unit 5 is expected to achieve fuel conversion rates of less than 7,000 btu/kwh (at 75° F).

61. Any and all document supporting the statement in Paragraph 18 of your need petition that support the statement that locating the project at Turkey Point will minimize environmental, land use and costs typically associated with the development of a normal 1,144 mw power plant.

62. Any and all documents that support the statement in Paragraph 19 of your need determination petition that the project "will have an estimated availability factor of 97 percent and a low estimated equivalent forced outage rate of one percent."

63. Any and all documents that support the statement in Paragraph 20 of the need determination petition that "the estimated total installed cost of Turkey Point Unit 5 is \$580.3 million 2007 dollars."

64. Any and all documents reflecting your scheduled generation additions and transmission upgrades.

65. A copy of the notice required to be published by Rule 25-22.082(8).

66. Any and all documents exchanged between you and any and all third party vendors

who will be supplying goods, materials, or services for the Turkey Point Unit 5.

67. Any and all documents that relate to whether a 15% reserve margin is a sufficient reserve margin in which to operate your utility system.

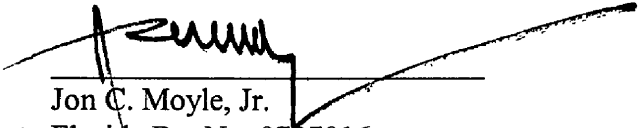
68. Any and all documents reflecting the reserve margins used in other states to which you have made wholesale elective sales within the past three (3) years.

69. Any and all documents supporting your view that a 20% reserve margin in Florida is appropriate.

70. Any and all documents which support or are otherwise related to how you figured transmission loss penalties or calculations for projects proposed in areas other than Turkey Point.

71. Any and all document reflecting your current, historical (past 10 years), and future (life of Turkey Point Unit 5) load centroid.

Respectfully submitted this 16th day of April, 2004.



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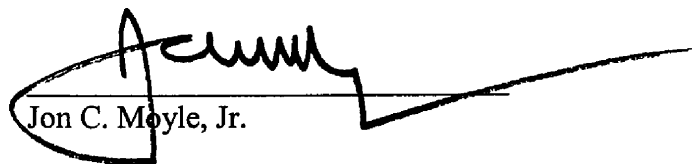
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy was served by hand-delivery this 16th day of **April, 2004**, on Jennifer Brubaker, Esq., Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-9850; Charles A. Guyton, Esq., Steel Hector & Davis, LLP, 215 South Monroe Street, Suite 601, Tallahassee, FL 32301, and Mr. Bill Walker and Ms. Lynne Adams, Florida Power & Light Company, 215 South Monroe Street, Suite 810, Tallahassee, Florida 32301-1859; and by U.S. Mail to the following persons:

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