



**Florida
Power**
CORPORATION

R. Alexander Glenn
CORPORATE COUNSEL

April 18, 1997

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 970261-EI

Dear Ms. Bayó:

Enclosed for filing in the subject docket are an original and fifteen copies of (1) Notice of Service and Florida Power Corporation's Objections to the Staff's First Set of Interrogatories to Florida Power Corporation; and (2) Notice of Service and Florida Power Corporation's Objections to the Staff's First Request for Production of Documents to Florida Power Corporation.

Please acknowledge your receipt of the above filing on the enclosed copy of this letter and return to the undersigned. Also enclosed is a 3.5 inch diskette containing the above-referenced documents in WordPerfect format. Thank you for your assistance in this matter.

Sincerely,


R. Alexander Glenn

- ACK _____
- AFA 2
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG Base
- LEG 3
- LIN 5
- OPC _____
- RCH 2
- SEC 1
- WAS _____
- OTH _____

RAG/mgc

Enclosures

cc: 

PSC-BUREAU OF RECORDS

GENERAL OFFICE

ORIGINAL
FILE COPY

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Nuclear Outage
at Florida Power Corporation's
Crystal River Unit No. 3

Docket No. 970261-EI

Submitted for filing:
April 18, 1997

**FLORIDA POWER CORPORATION'S
OBJECTIONS TO THE STAFF'S
FIRST SET OF INTERROGATORIES
TO FLORIDA POWER CORPORATION**

Florida Power Corporation ("FPC") hereby files its objections to the Staff of the Public Service Commission's First Set of Interrogatories to Florida Power Corporation, as follows:

1. Certain of the Staff's interrogatories may involve highly sensitive, confidential, proprietary, trade secret material and information. FPC is nonetheless willing to produce such information, provided that adequate protection of such information is afforded as provided under Florida law. FPC reserves its right to request an appropriate protective order prior to producing any such material.

2. FPC believes certain of the Staff's interrogatories may call for privileged information. FPC is unable to identify such information with specificity until it has prepared its interrogatory responses in full. FPC therefore reserves its rights to object to particular interrogatories to the degree those

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interrogatories call for privileged information once FPC has been able to prepare its full response to the interrogatories. Nothing contained in this response is intended to waive such privilege claims.

3. FPC believes certain of the Staff's interrogatories may call for information in FPC's possession pursuant to a confidentiality agreement with third parties. FPC is unable to identify such information with specificity until it has prepared its interrogatory responses in full. FPC therefore reserves its right to object to particular interrogatories to the degree those interrogatories call for such confidential information once FPC has been able to prepare its full response to the interrogatories. Nothing contained in this response is intended to waive FPC's right to object to producing such information, or to producing it pursuant to protections appropriate to permit FPC to satisfy its obligations under such confidentiality agreements.

4. FPC objects to the interrogatories to the extent they seek information that are not relevant to the prudence of FPC's "specific actions and circumstances that led to the shutdown of the unit on September 2, 1996, and the reasons Florida Power Corporation determined it was necessary to keep the unit down for an extended outage" -- the issues identified in the Prehearing Officer's February 28, 1997 Order Establishing Procedure.

5. FPC objects to Staff's failure to number appropriately what are distinct interrogatories, as required under the Order Establishing Procedure. FPC

specifically notes and objects that, for purposes of determining whether Staff reached or exceeded the 200 interrogatory limit established in the Order Establishing Procedure, Staff has propounded more requests than the 25 it has chosen to number because many of the interrogatories have multiple parts.

6. FPC objects to Interrogatory No. 1 as seeking information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence because it seeks information that is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4. See also Objection No. 1.

7. FPC objects to Interrogatory No. 2 as seeking information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence because it seeks information that is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4. See also Objection No. 1.

8. FPC objects to Interrogatory No. 3 as seeking information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence because it seeks information that is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4. See also Objection No. 1.

9. FPC objects to Interrogatory No. 4 as seeking information not relevant to the subject matter of the instant action nor reasonably calculated to

lead to the discovery of admissible evidence because it seeks information that is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4. See also Objection No. 1.

10. FPC objects to Interrogatory No. 14 on the ground that the term "performance issues" is vague and ambiguous. Subject to this objection, and without waiving it, FPC will state the basis for the first Management Corrective Action Plan.

11. FPC objects to Interrogatory No. 15 on the ground that it seeks information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence. See Objection No. 4. FPC further objects to the relevance of the interrogatory to the extent it seeks "estimated cost for correction" on the ground that the information is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4.

12. FPC objects to Interrogatory No. 18 as seeking information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence because it seeks information that is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4.

13. FPC objects to Interrogatory No. 19 to the extent it attempts to characterize the referenced document. FPC further objects on the ground that the interrogatory seeks information not relevant to the subject matter of the instant action nor reasonably calculated to lead to the discovery of admissible evidence

to the extent that the interrogatory asks for "cost savings" because such information is not related to the operation of FPC's CR3 nuclear unit. See Objection No. 4.

14. FPC objects to Interrogatory No. 20 to the extent it attempts to characterize FPC as having "deferred issuing the decision to keep the unit shut down."

15. FPC objects to Interrogatory No. 23 on the ground that it is a hypothetical question which by its nature calls for a speculative response.

16. FPC objects to Interrogatory No. 25 go the extent it attempts to characterize the referenced document. FPC further objects to the relevance of the interrogatory to the extent it seeks "projected benefits/savings" on the ground that such costs savings are not related to the operations of FPC's CR3 nuclear unit. See Objection No. 4.

Respectfully submitted,

OFFICE OF THE GENERAL COUNSEL
FLORIDA POWER CORPORATION

By 

R. Alexander Glenn
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (813) 866-5587
Facsimile: (813) 866-4931