



**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
R. Alexander Glenn

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

RAG/mgc

Enclosures

cc: *RECEIVED BY FILED*

PSC-BUREAU OF RECORDS

GENERAL OFFICE

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 REQUEST FOR PRODUCTION
OF DOCUMENTS TO FLORIDA POWER CORPORATION**

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

1. Certain of the Staff's document requests may involve highly sensitive, confidential, proprietary, trade secret material and information. FPC is nonetheless willing to produce such material and information, provided that adequate protection of such material and 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 objects to the instruction to produce documents at the offices of the Public Service Commission. Subject to the specific and general objections described above and below, FPC will make production of all responsive, non-privileged documents by making them available for inspection and copying at

DOCUMENT NUMBER DATE

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Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida, or by releasing such documents to a commercial service for copying and forwarding of the copies to the Public Service Commission at the location requested.

3. FPC objects to the "Definitions" to the extent they seek to have all discovery responses served within 20 days of receipt of the discovery request and without any extra time for mailing on the ground that such a short time period is unreasonably burdensome. Because of the expedited time schedule for this proceeding, FPC, subject to this objection and without waiving it, will endeavor to meet the shortened time period and will produce as many responsive documents as reasonably possible within the requested time period.

4. FPC believes certain of the Staff's requests may call for privileged information or materials. FPC is unable to identify such information or materials with specificity until it has prepared its document responses in full. FPC therefore reserves its rights to object to particular requests to the degree those requests call for privileged information or materials once FPC has been able to prepare its full response to the requests. Nothing contained in this response is intended to waive such privilege claims.

5. FPC believes certain of the Staff's document requests may call for documents in FPC's possession pursuant to a confidentiality agreement with third parties. FPC is unable to identify such information or materials with specificity until it has prepared its document responses in full. FPC therefore reserves its

right to object to particular requests to the degree those requests call for such confidential information or materials once FPC has been able to prepare its full response to the requests. Nothing contained in this response is intended to waive FPC's right to object to producing such information or materials, or to producing it pursuant to protections appropriate to permit FPC to satisfy its obligations under such confidentiality agreements.

6. FPC objects to the document requests to the extent they seek documents 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.

7. FPC objects to Document Request 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. 6. See also Objection No. 1.

8. FPC objects to Document Request 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. 6.
See also Objection No. 1.

9. FPC objects to Document Request 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. 6.
See also Objection No. 1.

10. FPC objects to Document Request 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. 6.
See also Objection No. 1.

11. FPC objects to Document Request No. 7 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. 6.
See also Objection No. 1. Subject to this objection, and without waiving it, FPC will produce responsive non-privileged documents to the extent they reference FPC's CR3 nuclear unit.

12. FPC objects to Document Request No. 13 on the ground that it seeks highly sensitive, confidential, proprietary information protected by a confidentiality agreement with third parties. See Objection No. 5.

13. FPC objects to Document Request No. 14 on the grounds that it is overly broad and burdensome and seeks 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 related to all modifications made during the years listed. See Objection No. 6. Subject to this objection, and without waiving it, FPC has produced the relevant safety evaluations for the 1987, 1990 and 1996 modifications at issue here in Exhibits 2, 3 and 6 to the Direct Testimony of Paul F. McKee.

14. FPC objects to Document Request No. 15 on the ground that it seeks information provided to FPC under the assurance that it would remain confidential except if compelled by order of a court or similar legal entity. FPC further objects on the ground that the request 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. 6.

15. FPC objects to Document Request No. 19 as overly broad and burdensome and 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 documents without respect to specific subject matter.

See Objection No. 6.

16. FPC objects to Document Request No. 20 as overly broad and burdensome and 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 documents without respect to specific subject matter.

See Objection No. 6.

17. FPC objects to Document Request No. 24 on the grounds that the term "electrical control systems" is vague and ambiguous. FPC further objects on the ground that the interrogatory is overly broad and burdensome and 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 documents without respect to date and the general subject matter may have no bearing on the outage of CR3.

Respectfully submitted,

OFFICE OF THE GENERAL COUNSEL
FLORIDA POWER CORPORATION

By  _____

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