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March 15, 1999

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0950

RE: Docket No.: 971004-EG

Dear Ms. Bayo:

Enclosed, for filing in the docket referenced above, are the original and ten copies of LEAF's Objections, Motion for Protective Order, and Written Response to Florida Power and Light Company's ("FPL's) First Set of Interrogatories to LEAF.

Please document this filing by stamping the attached copy of this letter and returning it to me. Thank you for your assistance in this matter. If you have questions, please let me know.

Sincerely,

Debra Swim

Debra Swim
Senior Attorney
Energy Advocacy Project

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

Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Adoption of Numeric Conservation
Goals for Florida Power & Light Company

DOCKET NO.: 971004-EG

**LEAF'S OBJECTIONS. MOTION FOR PROTECTIVE ORDER, AND WRITTEN RESPONSE
TO FPL'S FIRST SET OF INTERROGATORIES**

Intervenor, Legal Environmental Assistance Foundation, Inc., ("LEAF"), pursuant to Order No. FPSC-98-0384-PCO-EG, files the following Objections, Motion for Protective Order, and Written Response to Florida Power and Light Company's ("FPL's") First Set of Interrogatories to LEAF.

RESERVATION OF RIGHTS

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten day notice requirement set for in the Order Establishing Procedure in this docket. Should additional grounds for objection be discovered as LEAF reviews its responses to interrogatories, LEAF reserves the right to supplement, or revise or modify its objections at or before the time it serves answers to interrogatories. Should LEAF determine that a protective order is necessary with respect to any of the information requested by FPL, LEAF reserves the right to file a motion with the Commission seeking such an order.

GENERAL OBJECTIONS

LEAF raises a general objection to any interrogatory, to the extent that it calls for information that is privileged, not relevant or calculated to lead to discovery of admissible evidence, or is otherwise exempt from discovery under applicable laws. LEAF raises a general objection to any interrogatory, to the extent that it is vague, ambiguous, overly broad, imprecise, or uses terms that are subject to multiple interpretations and are not properly defined or explained. LEAF raises a general objection to any interrogatory that seeks to impose obligations on LEAF which exceed the requirements of the Florida Rules of Civil Procedure or Florida law. LEAF raises a general objection to any interrogatory to the extent that responding to it would be unduly burdensome, expensive, oppressive, or excessively time consuming.

MOTION FOR PROTECTIVE ORDER

To the extent that LEAF's objections to FPL's interrogatories require, by virtue of the authority contained in Slatnick v. Leadership Housing Systems of Florida, Inc., 368 So.2d 79 (Fla. 3rd DCA 1979), a Motion for Protective Order, LEAF's objections are to be construed as a request for a

Protective Order.

OBJECTIONS TO SPECIFIC INTERROGATORIES

Subject to, and without waiver of the foregoing rights and general objections, LEAF makes the following specific objections to FPL's First Set of Interrogatories:

1. LEAF objects to these interrogatories on the bases of relevance: 6a - 6d (inclusive), 7a - 7g (inclusive), 8 a - c (inclusive, plus subparts), 9 a - e (inclusive), 12, 13.
2. LEAF objects to these interrogatories in that they call for information that is protected and privileged as legal work product: 6d, 7f, , 9b, 9e, 10b - 10f, 11.
3. LEAF objects to the request in interrogatory 7b to explain how such benefits are "properly quantified" as vague in that the purpose of the quantification is not stated.
4. LEAF objects to interrogatory 7c to the extent that it purports to restate an assertion from LEAF's Petition since, contrary to the inference presented in the question's restatement, the cited phrase from LEAF's petition states no claim favoring increased pollution.
5. LEAF objects to interrogatory 9d because it purports to restate an assertion from LEAF's Petition and, contrary to the question's restatement, paragraph 5 of LEAF's Petition states no claim favoring increased pollution.
6. Since the plan presented in Dr. Sim's testimony has not been ruled appropriate, LEAF objects to Interrogatories 16 and 17 as potentially irrelevant and, if not irrelevant, unduly burdensome. LEAF further objects to these questions as vague.
7. LEAF objects to Interrogatory 14 as vague.

By: Debra Swim
Debra Swim, Esquire
Legal Environmental
Assistance Foundation, Inc.
1114 Thomasville Road, Suite E
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of LEAF's Objections, Motion for Protective Order, and Written Response to Florida Power and Light Company's ("FPL's) First Set of Interrogatories to LEAF was mailed this 15th day of March, 1999 to:

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