

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination)
of Need for an Electrical Power)
Plant in Okeechobee County by)
Okeechobee Generating Company,)
L.L.C.)
_____)

DOCKET NO. 991462-EU

Submitted for filing: November 15, 1999

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RECORDS AND REPORTING
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**FLORIDA POWER CORPORATION'S OBJECTIONS TO
OKEECHOBEE GENERATING COMPANY'S FIRST
REQUEST FOR PRODUCTION OF DOCUMENTS**

Florida Power Corporation ("FPC"), by its attorneys, hereby files its objections to Okeechobee Generating Company, L.L.C.'s ("OGC") First Request for Production of Documents to Florida Power Corporation (No. 1- 29) as follows:

General Objections

OGC as petitioner carries the affirmative burden in this proceeding of demonstrating that its project will satisfy the statutory need criteria. OGC did not join FPC as a party to this proceeding, thereby admitting that OGC did not intend to rely upon discovery from FPC in order to meet its burden. And, FPC is not offering the testimony of any FPC witness in opposition to OGC's petition. Nonetheless, OGC has now served extensive and unduly burdensome discovery upon FPC, including 29 production requests. FPC objects to responding to this discovery as irrelevant, immaterial, argumentative, unduly burdensome, and/or not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving this position, FPC also makes, inter alia, both general and specific objections to OGC's production requests, as follows.

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 2
- MAS 3
- OPC _____
- PAI _____
- SEC 1
- WAW _____
- OTH _____

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

FPC objects to the request that documents be produced to Landers & Parsons, P.A., 310 West College Avenue, Tallahassee, Florida 32301. FPC is required only to produce documents at a reasonable time, place, and manner.

FPC objects to any request that calls for the production of documents 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 response is first made to these requests or is later determined to be applicable based on the discovery of documents, investigation, or analysis. FPC in no way intends to waive any such privilege or protection.

FPC objects to any request that seeks the production of confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information.

FPC further objects to these requests and any definitions or instructions that purport to expand FPC's obligations under applicable law.

FPC objects to any request that requires the production of "all" or "each" as it cannot give assurances, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

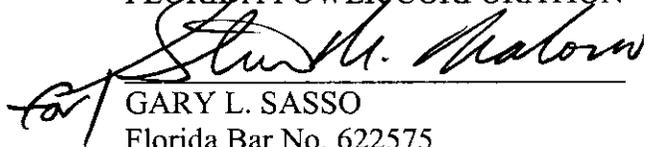
FPC incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.

Specific Objections

FPC objects to document requests no. 4-9, 14, 21-23, and 25-26 as irrelevant, argumentative, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. FPC also objects to request no. 27. This matter is addressed by Commission Orders that are equally available to the Petitioner at the Commission. FPC objects to producing any documents regarding the implementation and/or application of the Commission's Orders as irrelevant, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted,

FLORIDA POWER CORPORATION

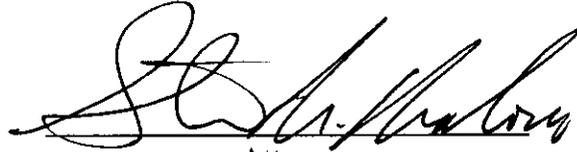


GARY L. SASSO
Florida Bar No. 622575
JILL H. BOWMAN
Florida Bar No. 057304
Carlton, Fields, Ward,
Emmanuel, Smith & Cutler, P.A.
Post Office Box 2861
St. Petersburg, FL 33731
Telephone: (727) 821-7000
Telecopier: (727) 822-3768

JAMES A. MCGEE
Senior Counsel
FLORIDA POWER CORPORATION
P.O. Box 14042
St. Petersburg, Florida 33733
Telephone: (727) 820-5184
Facsimile: (727) 820-5519

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FLORIDA POWER CORPORATION'S OBJECTIONS TO OKEECHOBEE GENERATING COMPANY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS has been furnished by fax to Robert Scheffel Wright and John Moyle as counsel for Okeechobee Generating Company, L.L.C. and by U.S. Mail to all counsel of record this 15th day of November, 1999.



Attorney

COUNSEL OF RECORD:

Robert Scheffel Wright
John T. LaVia
Landers & Parsons, P.A.
310 West College Avenue
Tallahassee, FL 32301
Phone: (850) 681-0311
Fax: (850) 224-5595
Attorneys for Okeechobee Generating
Company, L.L.C.

John Moyle
Moyle Flanigan, Katz, et al.
210 S. Monroe Street
Tallahassee, FL 32301
Phone: (850) 681-3828
Fax: (850) 681-8788
Attorneys for Okeechobee Generating
Company, L.L.C.

Sanford L. Hartman
Okeechobee Generating Company, L.L.C.
PG&E Generating Company
7500 Old Georgetown Road
Bethesda, MD 20814
Phone: (301) 280-6800
Fax:

Matthew M. Childs
Charles A. Guyton
Steel Hector
215 South Monroe Street, Ste. 601
Tallahassee, FL 32301-1804
Telephone: (850) 222-2300
Fax: (850) 222-7150
Attorneys for Florida Power & Light Company

Sean J. Finnerty
PG&E Generating Company
One Bowdoin Squaren Road
Boston, MA 02114-2910

Regional Planning Council #07
Douglas Leonard
P.O. Drawer 2089
Bartow, FL 33830
Phone: (941) 534-7130
Fax: (941) 534-7138

Michelle Hershel
Post Office Box 590
Tallahassee, FL 32302
Phone: (850) 877-6166
Fax: (850) 656-5485
Attorney for Florida Electric Cooperative
Assoc.

Department of Environmental Protection
Scott Goorland
2600 Blairstone Road
Tallahassee, FL 32399-2400
Phone: (850) 487-0472

Kenneth Hoffman/John Ellis
Rutledge Law Firm
Post Office Box 551
Tallahassee, FL 32302-0551
Phone: (850) 681-6788
Fax: (850) 681-6515
Attorneys for City of Tallahassee

Florida Industrial Cogeneration Association
c/o Richard Zambo, Esq.
598 Sw Hidden River Avenue
Palm City, FL 34990
Phone: (561) 220-9163
Fax: (561) 220-9402

Legal Environmental Assistance
Foundation, Inc.
Gail Kamaras/Debra Swin
1114 Thomasville Road, Ste. E
Tallahassee, FL 32303
Phone: (850) 681-2591
Fax: (850) 224-1275

Paul Darst
Department of Community Affairs
Division of Local Resource Planning
2740 Centerview Drive
Tallahassee, FL 32399-2100
Phone: (850) 488-8466
Fax: (850) 921-0781

Myron Rollins
Black & Veatch
Post Office Box 8405
Kansas City, MO 64114
Phone: (913) 458-7432
Fax: (913) 339-2934

James Beasley/Lee Willis
Ausley Law Firm
Post Office Box 391
Tallahassee, FL 32302
Phone: (850) 224-9115
Fax: (850) 222-7560
Attorneys for Tampa Electric Company

Florida Power & Light Company (Miami)
William G. Walker, III
9250 W. Flagler Street
Miami, FL 33174
Phone: (305) 552-4327
Fax: (305) 552-3660

Ms. Angela Llewellyn
Tampa Electric Company
Regulatory and Business Strategy
Post Office Box 111
Tampa, FL 33601-0111
Phone: (813) 228-1752
Fax: (813) 228-1770