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May 15, 2000

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

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00 MAY 15 PM 4:36
RECORDS AND
REPORTING

Re: Seminole Electric Docket # 981827-EC

Dear Ms. Bayó:

Enclosed for filing on behalf of Seminole Electric Cooperative, Inc. are the original and seven copies of its:

- 1) Preliminary Objections To, And Requests For Clarification Of, LCEC's First Request For Production of Documents 06006-00
- 2) Preliminary Objections To LCEC's First Set of Interrogatories 06007-00

By copy of this letter, these documents have been furnished to the parties on the attached service list.

Very truly yours,

Richard D. Melson

AFA _____
 APP _____
 CAF _____
 CMU _____
 CIR _____
 EAG _____
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 cc: Parties of Record
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition by Lee County)	
Electric Cooperative, Inc. for an investigation)	Docket No. 981827-EC
of the rate structure of Seminole Electric)	
Cooperative, Inc.)	Filed: May 15, 2000
_____)		

**SEMINOLE'S PRELIMINARY OBJECTIONS TO,
AND REQUESTS FOR CLARIFICATION OF,
LCEC's FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to the Order on Procedure in this docket, Seminole Electric Cooperative, Inc. (Seminole) makes the following preliminary objections to, and requests for clarification of, Lee County Electric Cooperative, Inc.'s (LCEC's) First Request for Production of Documents.

GENERAL OBJECTIONS

The following objections relate to all requests for production:

1. Seminole objects to producing any documents which are covered by attorney-client or work product privileges. Although Seminole has not yet assembled and reviewed the documents called for in the requests, it has not yet identified any privileged documents.
2. Seminole objects to producing any documents which contain proprietary confidential business information without an appropriate protective agreement. Counsel for LCEC should contact counsel for Seminole to arrange for the execution of such an agreement. Although Seminole has not yet assembled and reviewed all documents called for in the requests, Seminole expects that at a minimum some documents responsive to Request Nos. 9, 10, 11, 12, 13, 14, 20, 21 and 24 will contain proprietary confidential information.

REQUESTS FOR CLARIFICATION AND OBJECTIONS

Seminole requests clarification of the following requests for production. To the extent that Seminole's interpretation of any request is incorrect, Seminole preliminarily objects to the request on the grounds that it is overbroad, calls for the production of documents that are not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

3. Seminole interprets Request Nos. 1, 2, 6, and 7 to call for rate schedules applicable to

services purchased by Seminole's member cooperatives, (i.e., wholesale service rates and interruptible rates). Seminole interprets these requests to exclude other rate schedules, such as its wholesale transmission rate schedule, cogenerator rate schedule, and interchange schedules.

4. Seminole interprets Request No. 4 to call for documents filed with RUS which relate to Seminole's rate schedules for services purchased by Seminole members. Seminole interprets this request to exclude other filings with RUS (other than RUS Form 12), such as the routine filing of all of Seminole's contracts.
5. Seminole interprets Request Nos. 11, 12, 13 and 14 to call for documents which relate to Seminole's rates, rate structure, or rate design. Seminole interprets this request to exclude documents which relate to other topics that were considered at these meetings.
6. Seminole interprets Request No. 15 to include the budget workpapers and rate design workpapers maintained by Seminole's budgeting and rate staff. Seminole interprets this request to exclude detailed (i.e. second level) workpapers supporting specific budget items which would be maintained in numerous locations by various operational personnel.
7. Seminole requests clarification and narrowing of Request No. 16. Seminole objects to this request in its current form on the grounds that it is overly broad, calls for the production of documents which are not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. For example, as currently framed this request would include all bills to Seminole from FPL and FPC for partial requirements purchases, all correspondence relating to its partial requirements contracts with those utilities, and all documents related to Seminole's participation in FERC proceedings.
8. Seminole interprets Request Nos. 20, 22 and 23 to call for documents which relate to rates, rate structure, or rate design. Seminole interprets this request to exclude documents which relate to other topics that are considered by Seminole's Board of Trustees.
9. Seminole interprets Request No. 25 to include its corporate load management policy, load management contracts, diesel contracts, pilot agreements, etc. Seminole interprets this request to exclude operational documents, such as documents reflecting each time that Seminole has called on its members to exercise load management, load tapes, etc. Seminole also notes that this request contains no applicable time period, and is overly broad on that basis alone.
10. Seminole requests clarification and narrowing of Request No. 26. Seminole objects to this request in its current form on the grounds that it is overly broad, calls for the production of documents which are not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

RESPECTFULLY SUBMITTED this 15th day of May, 2000.

HOPPING GREEN SAMS & SMITH, P.A.

By: Richard D. Melson

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Attorneys for Seminole Electric Cooperative, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail or Hand Delivery (*) this 15th day of May, 2000.

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