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ORIGINAL

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August 23, 2001

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WILLIAM H. CHANDLER
1920-1992

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Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6770

RECEIVED FPSC
AUG 24 AM 8:58
COMMISSION
CLERK

VIA HAND DELIVERY/FEDERAL EXPRESS

RE: In Re: Territorial Dispute Between West Florida Electric Cooperative Association, Inc. and Gulf Power Company in Washington County, Florida
Docket No.: 010441-EU

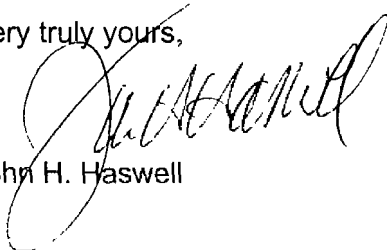
Dear Ms. Bayo:

I am enclosing herewith the following in connection with the above-referenced matter:

1. An original and seven (7) copies of a West Florida Electric Cooperative Association, Inc.'s First Motion To Compel Discovery to be filed on behalf of West Florida.
2. A disk with West Florida's Pre-Hearing Statement saved in Microsoft Word format.

I am also enclosing a copy of this letter as an acknowledgement copy and would appreciate it if you would file stamp it and return it to me in the enclosed self-addressed/stamped envelope as an acknowledgement of the date the above documents were filed. Please call me if you have any questions regarding this matter.

Very truly yours,



John H. Haswell

APP _____ JHH/daj
CAF _____ Enclosures
CMP _____
COM 3
CTR _____ cc: All parties of record
ECR _____
LEG _____
OPC _____
PAI _____
RGO _____
SEC 1
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FPSC-BUREAU OF RECORDS DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Territorial Dispute Between
West Florida Electric Cooperative
Association, Inc. and Gulf Power
Company in Washington County,
Florida.

Docket No.: 010441-EU

Date Filed: August 24, 2001

**WEST FLORIDA ELECTRIC COOPERATIVE ASSOCIATION, INC.'S
FIRST MOTION TO COMPEL DISCOVERY**

On June 1, 2001, by Hand Delivery, WEST FLORIDA ELECTRIC COOPERATIVE ASSOCIATION, INC. ("West Florida"), delivered its First Set of Interrogatories Numbered 1 through 29 to GULF POWER COMPANY ("Gulf Power"), by serving its attorneys, Jeffrey A. Stone, Esquire and Russell A. Badders, Esquire, Beggs & Lane, 3 West Garden Street, 700 Blount Building, Pensacola, Florida 32501.

The responses from Gulf Power were delivered on July 2, 2001, however, Gulf Power objected to Interrogatory Numbers 14, 21, 22 and 24.

In addition, West Florida submitted a Request for Production of Documents to Gulf Power on June 6, 2001. Gulf Power responded to the Request on July 9, 2001 (West Electric Cooperative Association, Inc.'s First Request for Production of Documents, Numbers 1 – 19). Gulf Power refused to comply with Request Number 2, the contract between GPC and ECS for electric service to Compressor Station 13-A; Gulf Power also objected to Requests 9, 12, 13 and 14. The aforesaid interrogatory answers and documents are critical to the Commission's review of the issues in this docket, particularly the contracts between ECS and Gulf Power, and the contracts between ECS, Florida Gas Transmission, and any other party involved. Indeed, it is the basis of Gulf Power's entire case that the customer chose Gulf Power by executing the contracts.

WHEREFORE, West Florida respectfully requests that the Commission enter an Order compelling Gulf Power to answer the interrogatories and produce the documents requested. Copies of the interrogatories objected to by Gulf Power and copies of the

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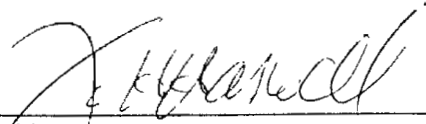
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

document production requests that Gulf Power objected to are attached hereto for reference.

Respectfully submitted,



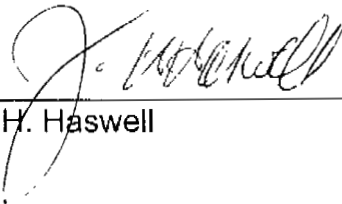
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and

Frank E. Bondurant, Esquire
Post Office Box 854
Marianna, Florida 32447
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: Jeffrey A. Stone, Esquire and Russell A. Badders, Esquire, Beggs & Lane, 3 West Garden Street, 700 Blount Building (32501), Post Office Box 12950, Pensacola, Florida 32576-2950; Robert Elias, Esquire and Marlene Stern, Esquire, Legal Division, Florida Public Service Commission, Capital Circle Office Center, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by Hand Delivery (Federal Express) this 23 day of August, 2001.



John H. Haswell

West Florida Electric Cooperative Assn.'s
First Request For Production Of Documents
Docket No. 010441-EU
GULF POWER COMPANY
July 9, 2001
Item No. 2
Page 1 of 1

2. The contract between GPC and ECS for electric service to Compressor Station 13A.

ANSWER: Gulf objects to this request as it seeks information that is confidential proprietary business information.

West Florida Electric Cooperative Assn.'s
First Request For Production Of Documents
Docket No. 010441-EU
GULF POWER COMPANY
July 9, 2001
Item No. 9
Page 1 of 1

9. All documents showing the calculation of a Contribution In Aid of Construction associated with the facilities to be constructed by GPC to serve Compressor Station 13A, including all documents and calculations that would show a reduction in the Contribution In Aid of Construction and the basis for such reduction or elimination.

ANSWER: Gulf objects to this request as it seeks information that is confidential, proprietary business information.

West Florida Electric Cooperative Assn.'s
First Request For Production Of Documents
Docket No. 010441-EU
GULF POWER COMPANY
July 9, 2001
Item No. 12
Page 1 of 1

12. A copy of any and all agreements between GPC and Enron, and/or ECS, and/or FGT for the supply of gas transportation and gas commodity to GPC' Smith Unit 3.

ANSWER: Gulf objects to this request as it seeks information that is confidential, proprietary business information. Gulf also objects to this request as seeking information that is not relevant to this proceeding or reasonably calculated to lead to admissible evidence.

West Florida Electric Cooperative Assn.'s
First Request For Production Of Documents
Docket No. 010441-EU
GULF POWER COMPANY
July 9, 2001
Item No. 13
Page 1 of 1

13. All documents listing the projected demand and energy requirements by month for all years of the contract between GPC and ECS for service to Compressor Station 13A.

ANSWER: Gulf objects to this request as it seeks information that is confidential, proprietary business information.

West Florida Electric Cooperative Assn.'s
First Request For Production Of Documents
Docket No. 010441-EU
GULF POWER COMPANY
July 9, 2001
Item No. 14
Page 1 of 1

14. All documents showing or indicating data on the large motors to be installed at Compressor Station 13A, including the number of motors, horsepower and full load mva ratings, across the line starting mva, and input voltage.

ANSWER: Gulf objects to this request as it seeks information that is confidential, proprietary business information.

**West Florida Electric Cooperative Assn.'s
First Set of Interrogatories
Docket No. 010441-EU
GULF POWER COMPANY
July 2, 2001
Item No. 14
Page 1 of 1**

14. State whether GPC (including any and all affiliates of GPC) believes that transmission service is not available under Southern Company's OATT where the transmission facilities of GPC are directly interconnected with facilities owned by a retail customer. If so, explain why, and identify any provisions of Southern Company's OATT, FERC's rules and regulations, and/or any FERC decision or court decision that you rely on for that belief.

ANSWER:

Gulf Power objects to this interrogatory. The interrogatory seeks a legal opinion that can be obtained by the requestor from its own attorneys and seeks information that would be protected by the Attorney Work Product and Attorney-Client privileges. Without waiving those objections, reference is made to Sections 211 and 212 of the Federal Power Act, Section 1.11 of Southern Companies' Open Access Transmission Tariff, Order No. 888, and related decisions issued by the Federal Energy Regulatory Commission.

**West Florida Electric Cooperative Assn.'s
First Set of Interrogatories
Docket No. 010441-EU
GULF POWER COMPANY
July 2, 2001
Item No. 21
Page 1 of 1**

21. Please provide the projected demand and energy requirements by month for all years of the contract between GPC and ECS for service to Station 13A.

ANSWER:

This interrogatory seeks confidential customer information. The information will be provided following the execution of the appropriate non-disclosure agreement as required by the customer for release of this information.

**West Florida Electric Cooperative Assn.'s
First Set of Interrogatories
Docket No. 010441-EU
GULF POWER COMPANY
July 2, 2001
Item No. 22
Page 1 of 1**

- 22. In connection with the "new electric motor compressor drivers" referred to in the GPC Petition, please state the number of motors to be installed, the horsepower of each motor, the full load mva ratings of the motors, across the line starting mva, and input voltage.**

ANSWER:

This interrogatory seeks confidential customer information. The information will be provided following the execution of the appropriate non-disclosure agreement as required by the customer for release of this information.

West Florida Electric Cooperative Assn.'s
First Set of Interrogatories
Docket No. 010441-EU
GULF POWER COMPANY
July 2, 2001
Item No. 24
Page 1 of 1

24. Please list in detail all specifications and data furnished by ECS to GPC as a result of or due to ECS's request for electric service at Station 13-A.

ANSWER:

This interrogatory seeks confidential customer information. The information will be provided following the execution of the appropriate non-disclosure agreement as required by the customer for release of this information.
