

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Florida Power Corporation's Earnings, Including Effects of Proposed Acquisition of Florida Power Corporation by Carolina Power & Light

DOCKET NO. 000824-EI

Submitted for Filing: December 21, 2001

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FLORIDA POWER CORPORATION'S OBJECTIONS TO THE FLORIDA INDUSTRIAL POWER USERS GROUP'S SECOND SET OF INTERROGATORIES TO FLORIDA POWER CORPORATION

Pursuant to § 350.0611(1), Fla. Stat. (2000), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P.1.340, Florida Power Corporation ("FPC") objects to The Florida Industrial Power Users Group's (FIPUG) Second Set of Interrogatories (Nos. 24-34) and states as follows:

GENERAL OBJECTIONS

FPC objects to any interrogatory that calls for information 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 the response is first made to these interrogatories 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.

In certain circumstances, FPC may determine upon investigation and analysis that information responsive to certain interrogatories to which objections are not otherwise asserted are confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such interrogatory, FPC is not waiving its right to insist upon appropriate protection of

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confidentiality by means of a confidentiality agreement and protective order. FPC hereby asserts its right to require such protection of any and all documents that may qualify for protection under the Florida Rules of Civil Procedure and other applicable statutes, rules and legal principles.

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

FPC objects to these interrogatories to the extent they are intended to require any expert/consultant retained by FPC in connection with this proceeding to provide a response, except those interrogatories that are expressly permitted to be directed at an expert/consultant as set forth in Florida Rule of Civil Procedure 1.280(b)(4). Rule 1.340 permits interrogatories to be directed only to parties, and FPC is not obligated to have experts/consultants respond to interrogatories other than those limited interrogatories that are specifically authorized as stated above. However, in the spirit of cooperation, FPC will agree at this point to have its experts/consultants provide responses to this set of interrogatories, but preserves its right to refuse to continue to do so at any point should it so choose. FPC in no way intends to waive this objection.

FPC also objects to these interrogatories to the extent they purport to require FPC to conduct an analysis or create information not prepared by FPC in the normal course of business. FPC will comply with its obligations under the applicable rules of procedure. FPC incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.

In addition, FPC reserves its right to count interrogatories and their sub-parts (as permitted under the applicable rules of procedure) in determining whether it is obligated to respond to additional interrogatories served by any party.

INTERROGATORIES

24. **Provide the Company's projection of its summer and winter peak reserve margins and its total interruptible/curtailable load for each year of the period 2002 through 2011.**
25. **Provide a calculation of the break-even point, in terms of hours of operation, between the installation of incremental peaking vs. baseload generation capacity on the Company's system, based on the Company's forecast of capital and operating costs for such units. Explain in detail all assumptions.**

FPC objects to this interrogatory as compound and reserves its right to count this interrogatory as (2) interrogatories for the purposes of determining its obligation to continue to provide responses under the order governing procedure in this case.

26. **Provide the Company's total system load duration curve for the 2002 test year.**
27. **Provide the monthly system firm peak demands on the Company's system for each month of the 2002 test year and for each month of the period January 1996 through December 2000.**
28. **For each customer class in the Company's filed cost of service studies, provide the Company's projected monthly class coincident peak demands for each month of the 2002 test year.**
29. **For each customer class in the Company's filed cost of service studies, provide the actual monthly class coincident peak demands for each month of the year 2000.**
30. **Provide the Company's monthly system reserve margins for each month of the period January 1996 through December 2000. Provide the data both before and after planned and scheduled plant maintenance outages.**

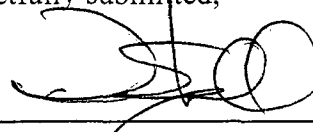
FPC objects to this interrogatory as compound and reserves its right to count this interrogatory as (2) interrogatories for the purposes of determining its obligation to continue to provide responses under the order governing procedure in this case.

31. **Explain in detail the basis for the Company's allocation of credits associated with non-firm service in its proposed cost of service study.**

32. Referring to Schedule A-5, page 3 of 5, explain in detail the Company's rationale for reducing the demand charges and increasing the energy charges for interruptible service.
33. Provide the Company's average fuel and variable operation and maintenance expenses for the 2002 test year, segregated by on-peak and off-peak hours.
34. Provide the average annual forced outage rates of the Company's generation fleet for each year of the period 1996 through 2000. For the same time period, provide similar average data disaggregated by peaking units, intermediate units, and baseload units.

FPC objects to this interrogatory as compound and reserves its right to count this interrogatory as (2) interrogatories for the purposes of determining its obligation to continue to provide responses under the order governing procedure in this case.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing has been furnished via U.S. Mail to the following this 21st day of December, 2001.

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