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December 28, 2001

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COMMISSION CLERK  
VIA FEDERAL EXPRESS

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

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

Dear Ms. Bayo:

Florida Power Corporation ("FPC" or the "Company") is filing herewith are the original and one (1) copy of the following:

1. Florida Power Corporation's Objections to The Florida Industrial Power Users Group's Third Set of Interrogatories (Nos. 34-39) to Florida Power Corporation; 16180-01
2. Florida Power Corporation's Objections to The Florida Industrial Power Users Group's Third Request for Production of Documents to Florida Power Corporation (Nos. 36-40); and
3. Florida Power Corporation's Notice of Compliance with Commission December 19, 2001 Order.

We request you acknowledge receipt and filing of the above by stamping the additional copy of this letter and returning it to me in the self-addressed, stamped envelope provided.

If you or your Staff have any questions regarding this filing, please contact me at (727) 821-7000.

Very truly yours,

*Gary L. Sasso*  
Gary L. Sasso *js*

Enclosures

RECEIVED & FILED  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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DOCKET NO. 000824-EI

Submitted for Filing:  
December 31, 2001

**FLORIDA POWER CORPORATION'S OBJECTIONS TO  
THE FLORIDA INDUSTRIAL POWER USERS GROUP'S  
THIRD SET OF INTERROGATORIES (Nos. 34-39)  
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) Third Set of Interrogatories 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

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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 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**

**35. Please provide the delivered fuel cost for each FPC generating unit used to supply retail customer's energy requirements broken out by the following factors:**

FPC objects to this interrogatory as irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence in a proceeding concerning base rates as FPC does not recover the fuel costs in base rates.

- a. Commodity costs (annual expense, MMBtus purchased and \$/MMBtu),**
- b. Transportation costs (annual expense, MMBtus purchased and \$/MMBtu),**
- c. Handling costs (annual expense, MMBtus purchased and \$/MMBtu) and**
- d. List whether or not the fuel supplier and transporter of fuel is an affiliate of FPC.**

**36. Please identify, by activity, all affiliate company services expenses or corporate services expenses included in FPC's MFRs in this proceeding by page and line number. Identify and summarize all investigations the Company undertook to establish the market value of the services provided to FPC by affiliated companies.**

FPC objects to this interrogatory as compound and reserves the right to count this interrogatory as two (2) separate interrogatories for the purposes of determining its obligation to continue to provide responses under the order governing procedure in this case. FPC also seeks clarification of this request as to the relevant year for which the information is sought.

**37. Provide all assumptions used to develop CR3's decommissioning expense and depreciation expense.**

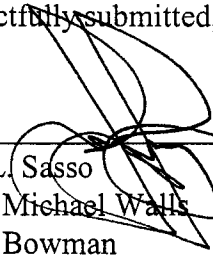
FPC objects to this request as irrelevant, immaterial and not reasonably calculated to lead to the discovery of admissible evidence in this proceeding, as the matter has already been determined by the Commission in Docket 001835.

**38. Discuss in detail the Company's plans to introduce real-time pricing options for its customers. If the Company does not plan to introduce any such options, explain in detail why not.**

**39. Explain in detail whether the Company has any plans to provide hourly forecasted marginal cost data for the Company's system to its industrial customers on a day-ahead basis. If the Company has no such plans, explain in detail why not.**

Respectfully submitted,

James A. McGee  
FLORIDA POWER CORPORATION  
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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 28<sup>th</sup> day of December, 2001.

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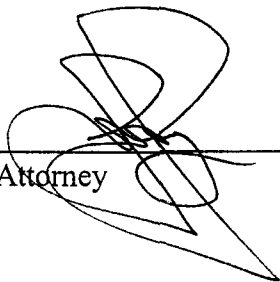
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