

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
COMMISSION
CLERK

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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

DOCKET NO. 000824-EI
Submitted for Filing:
January 2, 2002

FLORIDA POWER CORPORATION'S OBJECTIONS TO STAFF'S EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS TO FLORIDA POWER CORPORATION (NO. 49-52)

Pursuant to § 350.0611(1), Fla. Stat. (2000), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P. 1.350, Florida Power Corporation ("FPC") objects to the Staff of the Florida Public Service Commission's ("Staff") Eighth Request for Production and states as follows:

GENERAL OBJECTIONS

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 the 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.

In certain circumstances, FPC may determine upon investigation and analysis that documents that respond to certain requests 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 produce documents in response to this request, FPC is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality

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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 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.

Moreover, to the extent documents responsive to the requests have been previously produced, FPC will not be reproducing these documents but will attempt to make appropriate cross-references between and amongst the various requests.

DOCUMENTS REQUESTED

- 49. Please provide the workpapers that detail the methodology used to develop the On-Peak Non-Fuel Energy Charges in the RST-1, GST-1, and GSDT-1 rate schedules. (Wheeler)**

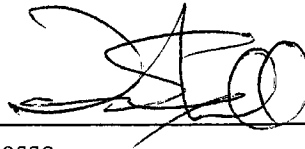
- 50. Please provide FPC's average per-customer residential kWh consumption by month for the latest available three-year period. (Wheeler)**

- 51. In regards to the Tiger Bay settlement approved by Order No. PSC-97-0652-S-EQ, issued June 9, 1997, in Docket No. 970096-EQ, please provide all workpapers for the proposed \$9 million adjustment shown on Schedule C-3c to accelerate the recovery of the Tiger Bay regulatory asset for the projected test year.**

(Gardner & P.Lee)

52. Please provide all supporting workpapers for the adjustments to the test year rate base and NOI to reflect the Commission's decision in each of the following dockets: Docket No. 001835-EI and Docket No. 991931-EI. (Gardner & P.Lee)

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing has been furnished via hand delivery

(where indicated by *) and via U.S. Mail to the following this 2nd day of January, 2002.

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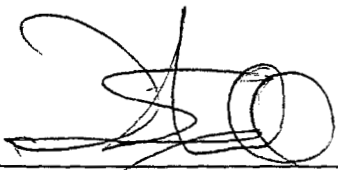
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