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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:
January 3, 2002

**FLORIDA POWER CORPORATION'S
OBJECTIONS TO PUBLIX SUPER MARKETS, INC.'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 Publix Super Market, Inc. ("Publix") Second Set of Interrogatories (Nos. 44-46) 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

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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 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 prepare information in a particular format or perform calculations or analyses not previously prepared or performed as an attempt to expand FPC's obligations under applicable law. FPC will comply with its obligations under applicable law and 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.

SPECIFIC OBJECTIONS

Definitions

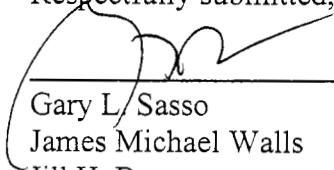
FPC objects to the definition of "FPC", "you", "your" or the "Company" as including Florida Progress Corporation, Progress Energy, Inc., and Progress Energy Service Company, LLC. Pursuant to rule 1.340, interrogatories may only be directed to

parties. In order to expedite discovery, however, FPC agrees to provide responsive information in the hands of these companies, to the extent such information is relevant to the issues in this case. FPC reserves the right to decline to provide any information that are not pertinent to the issues in the case.

INTERROGATORIES

44. **Please provide a breakdown of the FPC advertising budget for the MFR Test Year included in Accounts 907 through 913 pursuant to topic (i.e. safety, conservation, public service, etc.) and also Account 930, General Advertising Expense.**
45. **Please provide a detailed listing of the FPC Capital Improvements Program for the next five years.**
46. **Please provide itemized staffing reports for 1999, 2000, 2001 and projected for the Test Year showing employee staffing levels for administration, customer accounting, customer service, sales, production, transmission, and distribution, by regional service areas.**

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 on January 3, 2002.

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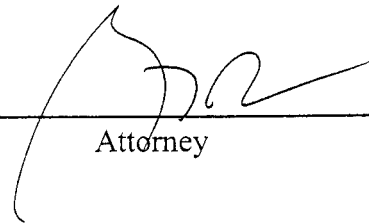
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