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January 9, 2002

#### FEDERAL EXPRESS

Thomas A. Cloud

Blanca S. Bayó, Director Division of Records and Reporting 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0870

> Re: Docket No.: 000824-El Publix Super Markets, Inc., Amendment to First Set of Interrogatories to Florida Power Corporation (Nos. 1-43)

Dear Ms. Bayó:

CLERMONT

Enclosed please find the original Publix Super Markets Inc., Notice of Service of Publix Super Markets, Inc. Amendment to First Set of Interrogatories to Florida Power Corporation (Nos. 1-43) served on Florida Power Corporation on January 9, 2002.

Sincerely,

Thomas A. Cloud GRAY, HARRIS & RØBINSON, P.A.

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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 9, 2002

### **NOTICE OF SERVICE**

Pursuant to Fla. Admin. Code R. 28-106.206, Publix Super Markets, Inc., by and

through its undersigned counsel serve this notice that it has served its Amendment to

First Set of Interrogatories to Florida Power Corporation (Nos. 1-43).

Respectfully submitted,

I homas A. Cloud, Esquire Florida Bar No. 293326 Gray, Harris & Robinson <sup>r</sup> A. 301 East Pine Street, Su e Orlando, Florida 32801 Ph. (407) 843-8880 Fax: (407) 244-5690

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been

furnished by U.S. Mail to the following parties of record and interested parties, this

9th day of January, 2002:

### Parties of Record:

Office of Public Counsel Jack Shreve 111 West Madison Street, # 812 Tallahassee, Florida 32399 Fax No. 850-488-4491 Florida Industrial Power Users Group McWhirter Law Firm Vicki Kaufman 117 South Gadsden Street Tallahassee, Florida 32301 Fax No. 850-222-5606

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Michael Twomey, Esquire Post Office Box 5256 Tallahassee, FL 32314-5256 Fax No. 850-421-8543

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Reliant Energy Power Generation, Inc. Michael Briggs 801 Pennsylvania Ave., Ste. 620 Washington, DC 20004 Fax No.

Sutherland Asbill & Brennan LLP (DC) Daniel Frank 1275 Pennsylvania Ave., NW Washington, DC 20004-2415 Ph.: 202-383-0838

Florida Retail Federation 100 E. Jefferson St. Tallahassee, FL 32301 Ph.: 850-222-3461

McWhirter Law Firm Joseph McGlothlin 117 S. Gadsden St. Tallahassee, FL 32301 Ph: 850-222-2525 Fax: 850-222-5605 Mary Ann Helton Florida Public Service Commission Division of Legal Services 2540 Shumard Oaks Boulevard Tallahassee, FL 32399-0850 Fax No. 850-413-6250

PG&E National Energy Group Co. Melissa Lavinson 7500 Old Georgetown Road Bethesda, MD 20814 Fax No. 301-280-6913

Florida Municipal Power Agency Robert C. Williams 8553 Commodity Circle Orlando, FL 32819-9002 Ph.: 407-355-7767

Carlton, Fields Law Firm Gary L. Sasso/James M. Walls P.O. Box 2861 St. Petersburg, FL 33731 Ph.: 727-821-7000 Fax: 727-822-3768

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Mirant Americas Development, Inc. Beth Bradley 1155 Perimeter Center West Atlanta, GA 30338-5416 Fax No. 678-579-5293

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Florida Power Corporation Paul Lewis, Jr. 106 East College Ave., Ste. 800 Tallahassee, FL 32301-7740 Fax No. 850-222-9768

Moyle Law Firm Jon C. Moyle/Cathy M. Sellers 118 North Gadsden Street Tallahassee, FL 32301 Fax No. 850-681-8788

Seminole Electric Cooperative, Inc. Mr. Timothy Woodbury 16313 N. Dale Mabry Highway Tampa, FL 33688-2000 Phone: 813-963-0994 Fax: 813-264-7906

CPV Atlantic, Ltd. 145 NW Central Park Plaza, Ste. 101 Port St. Lucie, FL 34986 Fax No. 561-873-4540

Duke Energy North America Lee E. Barrett 5400 Westheimer Court Houston, TX 77056-5310 Fax No. 713-627-6566

### **Interested Parties:**

Florida Power & Light Company Bill Walker 215 S. Monroe St., Ste. 810 Tallahassee, FL 32301-1859 Fax No.850-224-7517 Ph. 850-224-7517

Steel Law Firm Matt Childs 215 S. Monroe St., #601 Tallahassee, FL 32301 Ph.: 850-222-4192 Fax: 850-222-7510

Florida Industrial Co-Generation Association c/o Richard Zambo, Esquire 598 S.W. Hidden River Ave. Palm City, FL 34990 Fax No. 561-220-9402 Tampa Electric Company Ms. Angela Llewellyn Regulatory Affairs P.O. Box 111 Tampa, FL 33601-0111 Fax No. 813-228-1770

Florida Electric Cooperatives Association, Inc. Michelle Hershel 2916 Apalachee Parkway Tallahassee, FL 32301 Fax No. 850-656-5485

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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

### PUBLIX SUPER MARKETS, INC.'S AMENDMENT TO FIRST SET OF INTERROGATORIES TO FLORIDA POWER CORPORATION (Nos. 1-43)

Publix Super Markets, Inc., by and through its undersigned counsel, propounds the following amended Interrogatory Numbers 12 and 29(b) to Florida Power Corporation, Florida Progress Corporation, Progress Energy, Inc., and Progress Energy Service Company, LLC (collectively "FPC") in response to Florida Power Corporation's Objections to Publix Super Market, Inc.'s First Set of Interrogatories to FPC submitted for filing on December 21, 2001, in which FPC requested clarification on certain interrogatories propounded to FPC by Publix.

### INSTRUCTIONS

1. Each interrogatory should be answered based upon your

knowledge and information or belief, and any answer based upon information and beliefs should state that it is given on such basis. If the complete answer to an interrogatory is not known, so state that and answer as fully as possible the part of the interrogatory to which an answer is known. For each answer, or part thereof, please identify the individual or individuals who provided the information or helped in providing the information contained in the responses.

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2. Words in the past tense include the present, and words in the present tense include the past, the use of singular indicates the plural, and the use of masculine indicates the feminine where appropriate, and vice versa.

#### **DEFINITIONS**

1. The terms "FPC" and "company" encompass Florida Power Corporation, Florida Progress Corporation, Progress Energy, Inc., and Progress Energy Service Company, LLC, together with the officers, employees, consultants, agents, representatives, attorneys and other person or entity acting on behalf of any of these companies.

2. As used herein the terms "you", "your", "company" refer to FPC, as defined in the previous paragraph, together with its officers, employees, consultants, agents, representatives and attorneys of FPC, as well as any other person or entity acting on behalf of FPC.

3. The term "MFR" refers to the Minimum Filing Requirements filed by FPC under this docket and any supplemental materials or filings made by FPC with respect thereto.

4. Words in the past tense include the present, and words in the present tense include the past. Use of the singular indicates the plural and use indicates the feminine where appropriate, and vice versa.

### AMENDED INTERROGATORIES

12. On Page 27, line 6 of the pre-filed testimony of Dr. James Vander Weide, discusses companies that he eliminated in his DCF analyses as potential merger candidates within the electric utility industry. Please list the

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specific companies to which Dr. Vander Weide is referring in that statement.

29. The following questions relate to records related to FPC employees.

b. Please provide a detailed list of employees, by function (production, transmission, distribution, customer service, customer accounting, sales, administrative) for the MFR Test Year 2002. For each such function, show the total labor-related costs, including all benefits, by FERC account in MFR Schedule C-9. For the MFR Test Year 2002, benefits loading is shown by FERC account as opposed to the accounting methodology historically used to allocate such benefits. Please provide a direct comparison which will demonstrate how benefits loading charged to the FERC accounts for the MFR Test Year 2002, compares to how such amounts would have been charged under the previously employed accounting methodology.

Respectfully Submitted by:

Thomas A. Cloud, Esquire Florida Bar No. 293326 Gray, Harris & Robinson, P.A. 301 East Pine Street, Suite 1400 Orlando, Florida 32801 Ph. (407) 843-8880 Fax: (407) 244-5690