

ORIGINAL

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

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FLORIDA POWER CORPORATION'S OBJECTIONS TO STAFF'S TWELFTH SET OF INTERROGATORIES TO FLORIDA POWER CORPORATION (NOS. 290-295)

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 Staff of the Florida Public Service Commission's Twelfth Set of Interrogatories (Nos. 290-295) 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

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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 also objects to these interrogatories to the extent they purport to require FPC to prepare information in a particular format or perform calculations not previously prepared or performed as an attempt to expand FPC's obligations under applicable law. Further, FPC 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**

- 290. Provide the annual expenses incurred for anti-terrorism security measures at the company's power plants for calendar years 1997, 1998, 1999, 2000, and 2001 year to date. Include in your response both the annual amount included in rate base and the annual amount included in O&M.(McNulty)**
- 291. Provide the annual expenses incurred for anti-terrorism security measures at the company's transmission facilities for calendar years 1997, 1998, 1999, 2000, and 2001 year to date. Include in your response both the annual amount included in rate base and the annual**

amount included in O&M. (McNulty)

292. Provide the annual system and jurisdictional expenses incurred for anti-terrorism security measures for calendar years 1997, 1998, 1999, 2000, and 2001 year to date. Include in your response both the annual amount included in rate base and the annual amount included in O&M.(McNulty)
293. What is the projected test year system and jurisdictional amounts for anti-terrorism security that is included in the MFRs? (McNulty)
294. If the company has completed its review of potential increased anti-terrorism expenses due to recent events, then provide an annualized amount of the short term expense level and an annualized amount of the long term expenses for increased anti-terrorism security measure due to recent events. Include in your response a listing of the reports, studies, and consultants used in determining the projected amounts. (McNulty)
295. If the company has not completed its review of potential increased anti-terrorism expenses due to recent events, please provide the date when the review will be completed. (McNulty)

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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 15th day of January, 2002.

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