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PLEASE REPLY TO:
TALLAHASSEE

February 18, 2002

VIA HAND DELIVERY

Blanca S. Bayo, Director
Division of Records and Reporting
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0870

Re: Docket No.: 000824-EI

Dear Ms. Bayo:

On behalf of the Florida Industrial Power Users Group (FIPUG), enclosed for filing and distribution are the original and 15 copies of the following:

- ▶ Florida Industrial Power Users Group's Objections to Staff's First Set of Requests for Production of Documents (Nos. 1 - 7) to the Florida Industrial Power Users Group.

Please acknowledge receipt of the above on the extra copy of each and return the stamped copies to me. Thank you for your assistance.

Sincerely,



Timothy J. Perry

AUS _____
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DOCUMENT NUMBER-DATE

MCWHIRTER, REEVES, MCGLOTHLIN, DAVIDSON, DECKER, KAUFMAN, ARNOLD & STEEN, P.A. 01878 FEB 18 02

FPSC-COMMISSION CLERK

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 Corporation by Carolina Power & Light

Docket No.: 000824-EI
Filed: February 18, 2002

FLORIDA INDUSTRIAL POWER USERS GROUP'S OBJECTIONS TO STAFF'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS (NOS. 1 - 7) TO THE FLORIDA INDUSTRIAL POWER USERS GROUP

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rule 1.350, Florida Rules of Civil Procedure, the Florida Industrial Power Users Group (FIPUG) Objects to the Florida Public Service Commission Staff's (Staff) First Set of Requests for Production of Documents and states as follows:

General Objections

1. FIPUG 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. FIPUG in no way intends to waive any such privilege or protection.

2. In certain circumstances, FIPUG 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, FIPUG is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement and protective order. FIPUG 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.

3. FIPUG objects to these definitions and instructions to the extent they purport to require FIPUG to provide documents or other information on diskette. FIPUG will entertain specific request to product electronic copies of documents that so exist in the normal course of business in a format designed to preserve the integrity of these documents.

4. FIPUG objects to those requests to extent they purport to require FIPUG to prepare information or documents or perform calculations that FIPUG has not prepared or performed in the normal course of business as an attempt to expand FIPUG's obligations under applicable law. FIPUG

will comply with applicable law.

5. FIPUG further objects to these requests and any definitions or instructions that purport to expand FIPUG's obligations under applicable law. FIPUG will comply with applicable law.

6. FIPUG objects to any request that requires the production of "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

7. FIPUG objects to Staff's instruction to produce the requested documents at the Florida Public Service Commission in Tallahassee. Without waiving any other objection, FIPUG will produce the requested documents where they are kept in the ordinary course of business pursuant to Rule 1.350(b), Florida Rules of Civil Procedure.

8. FIPUG incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.

Specific Objections

9. FIPUG objects to Staff's Request for Production No. 1 on the basis that it is unduly

burdensome. Mr. Gorman has filed extensive amounts of testimony concerning the same or similar topic on which he filed testimony in this docket – approximately 2000 pages of testimony in no less than sixty (60) proceedings in the last five years. The production of such a large amount of testimony is unduly burdensome.

10. FIPUG objects to Staff's Request for Production No. 6 on the basis that it is unduly burdensome to the extent it requests documents be converted from their present format into an electronic format.



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Attorneys for the Florida Industrial Power
Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Florida Industrial Power Users Group's Objections to Staff's First Set of Requests for Production of Documents (Nos. 1 - 7) to the Florida Industrial Power Users Group has been furnished by (*) hand delivery or U.S. Mail to the following this 18th day of February 2002:

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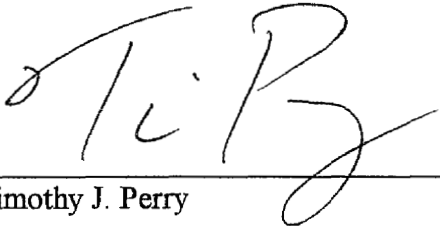
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