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February 19, 2002

VIA FEDERAL EXPRESS

Ms. Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, FL 32399-0850

Re: DOCKET NO. 001148-EI

Dear Ms. Bayó:

Enclosed for filing please find the original and fifteen (15) copies of Florida Power & Light Company's Objections to Public Counsel's Seventh Set of Interrogatories (Nos. 138-162) (the "Interrogatories") and Eighth Request for Production of Documents (Nos. 192-195) in the above-referenced docket together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is WordPerfect.

Very truly yours,

Robin Lea

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of the retail rates of Florida Power & Light Company.)))))	Docket No. 001148-EI Dated: February 19, 2002
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**FLORIDA POWER & LIGHT COMPANY'S CONSOLIDATED OBJECTIONS TO
OPC'S SEVENTH SET OF INTERROGATORIES (Nos. 138-162) AND
EIGHTH REQUEST FOR PRODUCTION OF DOCUMENTS (Nos. 192-195)**

Florida Power & Light Company ("FPL") hereby submits the following consolidated objections to the Office of Public Counsel's Seventh Set of Interrogatories (Nos. 138-162) (the "Interrogatories") and Eighth Request for Production of Documents (Nos. 192-195) (the "Requests") to FPL:

I. PRELIMINARY NATURE OF THESE OBJECTIONS

The objections stated herein are preliminary in nature and are made at this time in compliance with the requirement of Order No. PSC-01-2111-PCO-EI that objections be served within ten days of service of discovery requests. Should additional grounds for objection be discovered as FPL develops its responses, FPL reserves the right to supplement or modify its objections up to the time it serves its responses. Should FPL determine that a protective order is necessary regarding any of the information requested of FPL, FPL reserves the right to file a motion with the Commission seeking such an order at the time its response is due.

II. GENERAL OBJECTIONS

1. FPL objects to each Interrogatory and Request to the extent it calls for production or disclosure of information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any

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other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. FPL in no way intends to waive such privilege or protection.

2. FPL objects to providing any information that is confidential or proprietary business information and/or the compilation of information that is considered confidential or proprietary business information. FPL has not had sufficient time to determine whether the discovery requests call for the disclosure of such information. However, if it so determines, it will either file a motion for protective order requesting confidential classification and procedures for protection or take other actions to protect the confidential information requested. FPL in no way intends to waive claims of confidentiality.

3. FPL objects to each Interrogatory and Request that seeks information about, or in the custody of, FPL's affiliates to the extent that such discovery requests exceed the proper scope of the Commission's inquiry about utility affiliates and/or the proper scope of discovery. As noted in FPL's objections to the South Florida Hospital and Healthcare Association's First Set of Interrogatories and Request for Documents, the jurisdiction of the Commission concerning the parent and affiliates of a utility is limited. See §§ 366.05(9) and 366.093(1), Fla. Stat. (2000). Moreover, the scope of discovery from a party is limited to documents within the possession, custody or control of that party. See, e.g., *Southern Bell Telephone and Telegraph Co. v. Deason*, 632 So.2d 1377 (Fla. 1994).

4. FPL objects to each Interrogatory and Request to the extent that it seeks information that is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence.

5. FPL objects to the instructions and to each Interrogatory and Request to the extent that they purport to impose upon FPL obligations that FPL does not have under the law or applicable rules of procedure.

6. FPL objects to each Interrogatory and Request that calls for the creation of information as opposed to the reporting of presently existing information as purporting to expand FPL's obligation under the to the law or applicable rules of procedure.

7. FPL is a large corporation with employees located in many different locations. In the course of its business, FPL creates numerous documents that are not subject to Commission's or other governmental record retention requirements. These documents are kept in numerous locations and frequently are moved from site to site as employees change jobs or as business is reorganized. Therefore, it is possible that not every relevant responsive document can reasonably be consulted in developing FPL's response. Rather, FPL's responses will provide all the information that FPL obtained after a reasonable and diligent search conducted in connection with this discovery request. To the extent that the discovery requests propose to require more, FPL objects on the grounds that compliance would impose an undue burden or expense on FPL.

8. FPL objects to the request that responsive documents be produced at the OPC's Tallahassee offices. FPL is required only to produce documents at a reasonable time, place, and manner.

9. FPL objects to the Interrogatories and Requests to the extent that they require FPL to create documents not already in existence.

10. FPL objects to each Interrogatory and Request that purports to require FPL to provide documents in electronic form, to the extent such documents are not presently kept in electronic form by FPL.

11. FPL asserts the foregoing general objections with respect to each Interrogatory and Request as though separately stated therefor.

III. Specific Objections and Requests for Clarification

Interrogatory No. 140. FPL objects to this interrogatory to the extent that it calls for the creation of an MFR schedule as opposed to the reporting of presently existing information. To the extent this interrogatory seeks actual 2001 amounts regarding estimates used in MFR schedule C-33, subject to the stated general objections, they will be provided.

Interrogatory No. 142. FPL objects to this interrogatory to the extent it seeks the names or personal information of individuals involved in specific projected litigation on the ground that the information is irrelevant to this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence.

Respectfully submitted this 19th day of February 2002.

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By: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States Mail this 19th day of February, 2002, to the following:

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