

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Determination of Need of Hines Unit 3 Power Plant. )  
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Docket No.: 020953-EI

Submitted for Filing: October 7, 2002

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FLORIDA POWER CORPORATION'S OBJECTIONS TO  
STAFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO  
FLORIDA POWER CORPORATION (NO. 1-4)

Pursuant to § 350.0611(1), Fla. Stat. (2000), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P. 1.350, Florida Power Corporation ("FPC") objects to the Staff of the Florida Public Service Commission's ("Staff") First Request for Production (No. 1-4) and states as follows:

GENERAL OBJECTIONS

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

In certain circumstances, FPC 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, 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

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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 further objects to these requests and any definitions or instructions that purport to expand FPC's obligations under applicable law.

FPC objects to any request that requires the production of "all" or "each" as it cannot give assurances, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

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


Moreover, to the extent documents responsive to the requests have been previously produced, FPC will not be reproducing these documents but will attempt to make appropriate cross-references between and amongst the various requests.

### **DOCUMENTS REQUESTED**

- 1. Please provide all questions and answers that were presented at the Bidder's Conference that held on December 18, 2001, at the Tampa Airport Marriott.**
- 2. Please provide an electronic copy (in either Lotus or Excel format) of the historical and forecasted values for the multiple regression models used to forecast summer and winter peak demand.**

3. Please provide a copy of the data for the population growth estimates used in the models to develop FPC's customer forecasts.
  
4. Please provide any additional sources and data used to make the forecasts for this Need Determination Case.

Respectfully submitted this 7<sup>th</sup> day of October 2002



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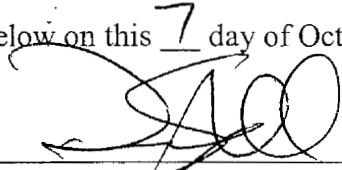
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT a true and correct copy of the foregoing has been served by U.S. Mail to the interested parties of record as listed below on this 7 day of October, 2002.

  
\_\_\_\_\_  
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