

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application of Cargill Fertilizer, Inc.) Docket No. 020898-EQ
to engage in self-service wheeling of waste) Filed: October 24, 2002
heat cogenerated power to, from and)
between points within Tampa Electric)
Company's service territory.)
_____)

**TAMPA ELECTRIC COMPANY'S OBJECTIONS IN RESPONSE TO THE
FIRST REQUESTS FOR ADMISSIONS TO TAMPA ELECTRIC (NOS. 1-7) OF
CARGILL FERTILIZER, INC.**

Pursuant to Rule 1.370, Florida Rules of Civil Procedure and Rule 28-106.206, Florida Administrative Code, Tampa Electric Company ("Tampa Electric" or "Company"), by and through its undersigned counsel, hereby files its objections to the First Requests For Admissions (Nos. 1-7) served by Cargill Fertilizer, Inc. ("Cargill") on Tampa Electric and says:

General Objections

1. Tampa Electric objects to each and every request for admission to the extent that such request calls for information that is exempt from discovery by virtue of the attorney/client privilege, work product privilege, or other applicable privilege or protection provided by law, whether such privilege or protection appears at the time response is first made to these requests for admissions or is later determined to be applicable based on the discovery of documents, investigation, or analysis.
2. Tampa Electric objects to each and every request for admission insofar as the request is vague, ambiguous, overly broad, and imprecise or uses terms that are subject to multiple interpretations but are not properly defined or explained.

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3. Tampa Electric objects to any request for admission that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information, including “trade secrets” which are privileged pursuant to Section 90.506, Florida Statutes.
4. Tampa Electric objects to any request for admission that calls for the creation of information as opposed to the reporting of presently existing information or that purport to expand Tampa Electric’s obligations under the Florida Rules of Civil Procedure or Florida Law.

Specific Objections

1. Tampa Electric objects to Request for Admission No. 3 on the grounds that the request has no temporal element and, therefore, is vague, ambiguous and otherwise unintelligible.
2. Tampa Electric objects to Request for Admission No.5 on the ground that the request is vague and ambiguous with regard to its reference to “emergency generation”.

WHEREFORE, Tampa Electric submits the foregoing objections to the First Requests For Admissions (Nos. 1-7) served by Cargill in this proceeding.

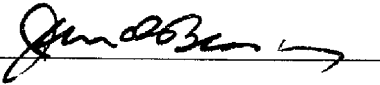
DATED this 24th day of October 2002.

Respectfully submitted,

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And

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By: 

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Objections, filed on behalf of Tampa Electric Company, has been served by hand delivery (*) or U. S. Mail on this 24th day of October 2002 to the following:

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