

ORIGINAL

Matilda Sanders

From: Paulson Craig T Maj AFCESA/ULT [Craig.Paulson@tyndall.af.mil]
Sent: Wednesday, May 25, 2005 12:36 PM
To: Filings@psc.state.fl.us
Cc: Mike Twomey; Ken Hoffman; John McWhirter; Robert Scheffel Wright; CHRISTENSEN.PATTY; Joseph McGlothlin; John Butler; Natalie Futch-Smith; Wade Litchfield; Katherine Fleming; Cochran Keating; Tim Perry; Bruce May; Paulson Craig T Maj AFCESA/ULT; David Brown; Jeremy Susac; John LaVia; Linda Quick; Kenneth Wiseman; Mark Sundback; Spina, Jennifer; Gloria Halstead; Hayes, Annisha; ROBERTS.BRENDA
Subject: FEA Discovery 1st Set in Docket No. 050045 - FPL
Attachments: FP&L FirstDataRequest--FPL1.doc; FPL FEA First Set Of Discovery 050045 NOTICE.doc

Attached is FEA's First Set of Discovery (FEA 1 and 2). Craig

CMP _____
 COM _____
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 ECR _____
 GCL _____
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 RCA _____
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 SEC | _____
 OTH _____

5/25/2005

DOCUMENT NUMBER-DATE

05092 MAY 25 05

FPSC-COMMISSION CL FRK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase)
by Florida Power & Light)
Company.)

Docket No. 050045-EI

Filed: May 25, 2005

NOTICE OF SERVICE

FEA, by and through its undersigned counsel, serves this notice that it has served its first set of discovery (Nos. 1-2) to Florida Power & Light Company.

Respectfully submitted,

//s//

CRAIG PAULSON
MAJOR, USAF
Utility Litigation and Negotiation Attorney

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139 Barnes Dr., Suite 1
Tyndall AFB, FL 32403-5319
Tele: 850-283-6350
Fax: 850-283-6219
E-mail: Craig.Paulson@tyndall.af.mil

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this pleading has been served by U.S.

Mail and electronic mail this 25th day of May, 2005 on the following:

Wm. Cochran Keating, Esquire
Katherine Fleming, Esquire
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

John W. McWhirter, Esquire
McWhirter Reeves
400 North Tampa Street
Tampa, Florida 33602

Harold A. McLean, Esquire
Joseph A. McGlothlin, Esquire
Patricia A. Christensen, Esquire
Office of the Public Counsel
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111 West Madison Street
Tallahassee, Florida 32399-1400

Tim Perry, Esquire
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Tallahassee, Florida 32301

R. Wade Litchfield, Esquire
Natalie F. Smith, Esquire
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Washington, D.C. 20006

//s//

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: PETITION FOR RATE INCREASE BY)
FLORIDA POWER & LIGHT COMPANY) DOCKET NO. 050045-EI

**FIRST SET OF DISCOVERY
OF THE FEDERAL EXECUTIVE AGENCIES TO
FLORIDA POWER & LIGHT COMPANY**

The Federal Executive Agencies (FEA) hereby serves its First Set of Discovery upon Florida Power & Light Company.

GENERAL INSTRUCTIONS

1. Please provide a written response to each discovery request and discovery request subpart and supplement, when appropriate, such responses as required by these rules.
2. For each response, please provide any work papers and other documents used in its preparation.
3. If any of the information sought in a discovery request will not be available by the response date, please state the projected date such information will first become available.
4. If any document or information responsive to a request is withheld for any reason, identify (in accordance with the definition attached) such document or information, and state the legal and factual basis for withholding it. Additionally, furnish all portions of such document or information that are not subject to the claimed reasons for withholding and provide a written description of the documents or information or portions thereof withheld.
5. If any document or information responsive to a discovery request was, but is no longer, in your possession or control, please identify such document or information and explain why it is no longer in your possession or control.
6. If no documents are available in response to a request for documents, please so indicate and, if possible, provide a narrative response to the request.

7. If you encounter any ambiguity in interpreting a discovery request, please identify the language deemed to be ambiguous and the interpretation used in responding to the discovery request.
8. The terms “and” and “or” should be construed either disjunctively or conjunctively in order to bring within the scope of each discovery request any information or document which might otherwise be considered to be beyond its scope.
9. The singular form of a word should be interpreted as plural, and the plural form of a word should be interpreted as singular, in order to bring within the scope of each discovery request any information or document which might otherwise be considered to be beyond its scope.
10. Please identify the preparer or person under whose supervision each response was prepared.
11. For the convenience of the parties, please reiterate each Discovery Request prior to your response.

DEFINITIONS

1. “Document” should be interpreted broadly to include, but not be limited to writings, records, memoranda, correspondence, reports, contracts, studies, tabulations, work papers, charts, diagrams, publications, photographs, films, maps, bulletins, minutes, handwritten notes, log sheets, ledgers, microfilm, tapes, computer programs, recordings, printouts, vouchers, accounting statements, and all other retrievable data of any kind. Any document that is not identical to another document for any reason, including but not limited to marginal notations, deletions, attachments, or redrafts, is a separate document.
2. “Correspondence” should be interpreted to include, but not be limited to, letters, facsimiles, telex, telegrams, notes, notices, messages, memoranda, reports, and all other written communications.
3. “Communication” should be interpreted to include, but not be limited to, all forms of communication, whether written, printed, oral, computer generated electronic, pictorial or otherwise.
4. Any request to “identify” should be interpreted to mean:
 - a. With respect to a natural person, their full name, title, business address and telephone number, both currently and for any past period relevant to the request.

- b. With respect to entity other than a natural person, its full name, address, telephone number, and business or purpose, both currently and for any past period relevant to the request.
 - c. With respect to a document, the nature of the document (e.g., letter, pleading document, its date, preparers, signatories, recipients, and custodians).
5. "Person" refers to any natural person, corporate entity, partnership, joint venture, cooperative, municipality, commission, governmental body, agency, board, committee, or formal or informal association, club or group.

INTERROGATORIES

- FEA 1.** Please provide electronic copies (or hard copies if electronic copies are unavailable) of all discovery requests that FPL has received to date from any party in this case and all discovery requests that FPL had made to other parties.
- FEA 2.** Please provide the following regarding FPL's Rate CILC:
- a. Commission order (if not available on the Commission's web site) that discusses the rate when it was first approved.
 - b. Date the rate was closed to new customers.
 - c. Reason(s) for closing the rate to new customers. Please provide any related work papers, studies, and/or analyses.
 - d. Commission order (if not available on the Commission's web site) approving closing the rate to new customers.
 - e. Firm on-peak demand test-year billing kW by month for Rate CILC customers. (Please do not identify any individual customer.)
 - f. Load Control on-peak test-year billing kW by month for Rate CILC customers. (Please do not identify any individual customer.)

Dated this 25th day of May 2005.

Respectfully submitted,

//s//

CRAIG PAULSON
MAJOR, USAF
Utility Litigation and Negotiation Attorney

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