

ORIGINAL

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From: Rhonda Dulgar [rhonda@landersandparsons.com]
Sent: Monday, June 06, 2005 4:43 PM
To: Filings@psc.state.fl.us
Subject: Docket No. 050078-EI
Attachments: FRFObjtoProgress1stRFP.June6.doc

Electronic Filing

a. Person responsible for this electronic filing:

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b. Docket No. 050078-EI
In re: Petition for rate increase by Progress Energy Florida, Inc.

c. Document being filed on behalf of the Florida Retail Federation.

d. There are a total of 6 pages.

e. The document attached for electronic filing is The Florida Retail Federation's Objections to Progress Energy Florida, Inc.'s First Request for Production of Documents (Nos. 1-8) to The Florida Retail Federation

(see attached file: FRFObjtoProgress1stRFP.June6.doc)

Thank you for your attention and assistance in this matter.

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Secretary to Schef Wright
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FDSC-COMMISSION OF EPC

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Rate Increase by)
Progress Energy Florida, Inc.) DOCKET NO. 050078-EI
) FILED: JUNE 6, 2005

THE FLORIDA RETAIL FEDERATION'S OBJECTIONS TO
PROGRESS ENERGY FLORIDA, INC.'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS (NOS. 1-8)
TO THE FLORIDA RETAIL FEDERATION

The Florida Retail Federation ("FRF"), pursuant to the Order Establishing Procedure issued in this docket on May 4, 2005, hereby respectfully submits its objections to Progress Energy Florida, Inc.'s ("PEF") First Request for Production of Documents to Florida Retail Federation (Nos. 1-8) which was served on FRF on May 26, 2005.

GENERAL OBJECTIONS

FRF objects to PEF's First Request for Production of Documents on the grounds set forth in paragraphs A-C below. Each of FRF's responses will be subject to and qualified by these general objections.

A. FRF objects to any request that calls for 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 response is first made to these requests or is later determined to be applicable for any reason. **FRF in no way** intends to waive any such privilege or protection.

B. FRF objects to any request that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information.

C. FRF objects to any production location other than FRF's general offices located at 227 South Adams Street, Tallahassee, Florida 32301, or the offices of the FRF's attorneys, Landers & Parsons, P.A., 310 West College Avenue, Tallahassee, Florida 32301, as appropriate.

By making these general objections at this time, FRF does not waive or relinquish its right to assert additional general and specific objections to PEF's discovery at the time FRF's response is due under the Florida Rules of Civil Procedure and the Order Establishing Procedure. **FRF provides these general** objections at this time to comply with the intent of the Order Establishing Procedure to reduce the delay in identifying and resolving any potential discovery disputes.

SPECIFIC OBJECTIONS

FRF makes the following specific objections to PEF's First Request for Production of Documents. FRF's specific objections

are numbered to correspond with the number of PEF's document production requests.

Request No. 2. Subject to FRF's general objections, and without waiving same, FRF objects to this request to produce to the extent that it calls for FRF to produce documents protected by the attorney-client privilege and/or the work product doctrine.

Request No. 5. Subject to FRF's general objections, and without waiving same, FRF objects to this request to produce to the extent that it calls for FRF to produce documents protected by the attorney-client privilege and/or the work product doctrine.

Request No. 6. Subject to FRF's general objections, and without waiving same, FRF objects to this request to produce to the extent that it calls for FRF to produce documents protected by the attorney-client privilege and/or the work product doctrine.

Request No. 8. Subject to FRF's general objections, and without waiving same, FRF objects to this request to produce to

the extent that it calls for FRF to produce documents protected by the attorney-client privilege and/or the work product doctrine. FRF also objects to this request to produce on the grounds that it is overly burdensome to require FRF to produce "all documents or other materials reviewed for any purpose" by its witnesses. In addition, FRF objects because the documents requested by PEF may be irrelevant to this case and have no bearing on this proceeding, and are not likely to lead to the discovery of admissible evidence.

Filed this 6th day of June, 2005.

LANDERS & PARSONS

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail (*) and U.S. Mail this 6th day of June, 2005, on the following:

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