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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Progress Energy Florida, Inc.	Docket No. 050078-EI Served: July 8, 2005

OBJECTIONS OF WHITE SPRINGS AGRICULTURAL CHEMICALS, INC. D/B/A PCS PHOSPHATE – WHITE SPRINGS TO PROGRESS ENERGY FLORIDA, INC.'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1 – 8) TO WHITE SPRINGS

Pursuant to the "Order Establishing Procedure" issued in this docket on May 4, 2005 ("Procedural Order"), White Springs Agricultural Chemicals, Inc. d/b/a/ PCS Phosphate – White Springs ("White Springs") hereby respectfully submits its objections to Progress Energy Florida, Inc.'s ("Progress Energy") First Request for Production of Documents to White Springs (Nos. 1 – 8), which was served on June 28, 2005.

General Objections

1. White Springs objects to the requests to the extent that they call for White Springs to produce documents or other materials that are protected by any privilege available under the laws of the State of Florida or any other applicable law, including, but not limited to, the attorney-client privilege, the work product doctrine, the trade secret privilege, and other judicially- and administratively-recognized privileges. White Springs intends to enforce all applicable privileges to the extent allowed by the privilege.

2. White Springs objects to the requests to the extent that they call for White Springs to produce documents that contain confidential, proprietary or commercially sensitive business information or require White Springs to compile such information.

3. White Springs objects to the requests to the extent that they seek "all" related documents on a specific subject as overly broad and imposing an undue burden on White

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Springs. White Springs and/or its witnesses will undertake a good faith effort to search for and produce documents in its or their possession that, in White Springs interpretation, are responsive to the requests.

4. White Springs objects to the requests to the extent that they seek documents that are outside the scope of the issues set for hearing in this proceeding and/or are not relevant to the matters at issue in this proceeding, and thus are not reasonably calculated to lead to the discovery of admissible evidence in this proceeding.

5. White Springs objects to the requests to the extent that they are overly broad and/or not properly limited in time or scope and thus are unduly burdensome.

6. White Springs objects to the requests to the extent that they seek documents the production of which would be unduly burdensome and would cause White Springs to incur unnecessary expense.

7. White Springs objects to the requests to the extent that they purport to require White Springs to supplement its responses in violation of Florida Rule of Civil Procedure 1.280(e).

8. White Springs objects to the requests to the extent that they seek documents that are in the public domain, already in the possession of Progress Energy, or are not within the possession of or control of White Springs.

9. White Springs objects to the requests to the extent that they fail to describe the documents sought in sufficient detail and reasonable particularity and therefore are overly broad, unreasonably vague and unduly burdensome.

10. White Springs reserves the right to assert claims of privilege or to invoke protected status for confidential, proprietary or commercially sensitive information subsequent to

the date that these objections are filed and served as discovery reviews continue, to the extent that White Springs determines that such actions are necessary to protect White Springs's interests. By propounding the general and specific objections stated herein, White Springs does not waive other applicable objections and privilege claims that may exist yet are not contained herein.

Specific Objections

White Springs raises the following specific objections to Progress Energy's First Request for Production of Documents. White Springs incorporates by reference its general objections. By raising specific objections to individual requests, White Springs does not waive its general objections with respect to any of the requests, whether a general objection is repeated or substantially incorporated in a specific objection.

Request No. 1: White Springs objects to this request as vague, as it is not clear what is intended by the phrase "relating to the same and/or similar topic." White Springs cannot possibly know what topics Progress Energy would consider to be "similar" to the issues addressed by each of White Springs's witnesses. White Springs further objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 2: White Springs objects to this request as vague, as it is not clear what is intended by the phrase "referred to and/or relied upon." While White Springs has not completed its identification of witnesses it intends to utilize in this proceeding, White Springs intends to offer witnesses who are experts in their given fields and thus who will "rely" upon their education, related past experience and expertise in crafting their testimony. It is impossible for

White Springs to identify all information that a witness may recall from past education and experience during the completion of his testimony in this matter. Additionally, White Springs objects to this request to the extent that it calls for production of documents that are protected by the attorney-client, work-product and/or other judicially- or administratively-recognized privileges. White Springs additionally objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 3: White Springs objects to this request as vague, as it is not clear what is intended by the phrase "relating to the same and/or similar topic." White Springs cannot possibly know what topics Progress Energy would consider to be "similar" to the issues addressed by each of White Springs's witnesses. White Springs further objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 4: White Springs objects to this request as vague, as it is not clear what is intended by the phrase "referred to and/or relied upon." While White Springs has not completed its identification of witnesses it intends to utilize in this proceeding, White Springs intends to offer witnesses who are experts in their given fields and thus who will "rely" upon their education and expertise in crafting their testimony. It is impossible for White Springs to identify all texts, treatise, textbooks or other materials that a witness may rely upon to complete his testimony in this matter, specifically those texts, treatises, textbooks and other materials which the witness may have used during his education to formulate his understanding and expertise in the area in which he offers testimony. Additionally, White Springs objects to this request to the

extent that it calls for production of documents that are protected by the attorney-client, work-product and/or other judicially- or administratively-recognized privileges. White Springs additionally objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 5: White Springs objects to this request as vague, as it is not clear what is intended by the phrase "all documents, spreadsheets, data . . . used by the witness in the development of exhibits . . . ." White Springs objects to this request to the extent that this phrase can be interpreted to include drafts and other documents that are covered by the attorney-client, work-product and/or other judicially- or administratively-recognized privileges. White Springs further objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 6: White Springs objects to this request as vague, as it is not clear what is intended by the term "source documents." White Springs further objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

Request No. 8: White Springs objects to this request as overly broad and unduly burdensome, as it calls for White Springs to produce "all documents or other materials reviewed for any purpose" by White Springs's witnesses. White Springs cannot possibly determine each and every document that a witness may have viewed during the course of his preparation of testimony, and even attempting to respond to this request would require White Springs to search

for and produce potentially hundreds (or more) of documents that may have passed through the hands of its witnesses during their preparation of testimony. Additionally, White Springs objects to this request to the extent that it seeks documents and information irrelevant to the issues raised in this case, and thus is not calculated to lead to the discovery of admissible evidence. White Springs further objects to this request as untimely, to the extent that White Springs is in the process of preparing its direct testimony and strategy and at this time has not completed the process of identifying the witnesses it intends to employ in this matter.

White Springs remains willing to work with Progress Energy in a good faith manner to narrow the scope of documents sought in these requests and resolve discovery disputes as they arise.

Sincerely,

s/ James M. Bushee

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July 8, 2005

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Notice of Service has been furnished by electronic mail and U.S. Mail this 8th day of July, 2005, to the following:

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