

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power)
Cost Recovery Clause and Generating)
Performance Incentive Factor)

Docket No. 060001-EI
Filed: February 20, 2006

PEF'S OBJECTIONS TO OPC'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-14)

Pursuant to Fla. Admin. Code R. 28-106.206 and Rule 1.350 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC's") First Set of Requests for Production of Documents (Nos. 1-14) and states as follows:

GENERAL OBJECTIONS

PEF generally objects to the time and place of production requirement in OPC's First Set of Requests for Production of Documents and will make all responsive documents available for inspection and copying at the offices of Progress Energy Florida, Inc., 106 E. College Avenue, Suite 800, Tallahassee, Florida, 32301 at a mutually-convenient time, or will produce the documents in some other manner or at some other place that is mutually convenient to both PEF and OPC for purposes of inspection, copying (at OPC's expense), or handling of the responsive documents.

With respect to the "Definitions" and "Instructions" in OPC's First Request For Production (Nos. 1-14), PEF objects to any definitions or instructions that are inconsistent with PEF's discovery obligations under applicable rules. If some question arises as to PEF's discovery obligations, PEF will comply with applicable rules and not with any of OPC's definitions or instructions that are inconsistent with those rules.

Furthermore, PEF objects to any definition or request that seeks to encompass persons or

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entities, including affiliates of PEF and/or Progress Fuels, who are not parties to this action or who are not subject to discovery under the applicable rules. Furthermore, PEF objects to any request that can be construed to call for PEF to create documents that it otherwise does not have because there is no such requirement under the applicable rules and law.

Additionally, PEF generally objects to OPC's requests to the extent that they call 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. PEF will provide a privilege log in accordance with the applicable law to the extent, if at all, that any document request calls for the production of privileged or protected documents.

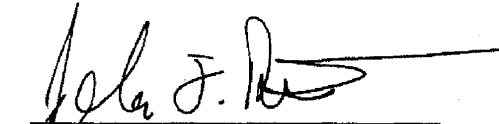
PEF generally objects to OPC's First Set of Requests for Production to the extent that it calls for the production of "all" documents of any nature, including, every copy of every document responsive to the requests. PEF will make a good faith, reasonably diligent attempt to identify and obtain responsive documents when no objection has been asserted to the production of such documents, but it is not practicable or even possible to identify, obtain, and produce "all" documents. In addition, PEF reserves the right to supplement any of its responses to OPC's requests for production if PEF cannot produce documents immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive documents in the course of this proceeding.

By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to OPC's discovery at the

time PEF's response is due.

SPECIFIC OBJECTIONS

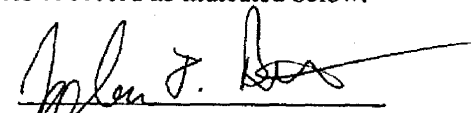
Request 7: PEF objects to this request because PEF is unsure what OPC means by the term "spreadsheet model." PEF assumes that OPC is requesting any documentation for any such calculations as referenced in Request 7.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
via U.S. Mail this 20th day of February, 2006 to all parties of record as indicated below.



JOHN T. BURNETT

<p>Jennifer A. Rodan, Esq. Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850</p> <p>James D. Beasley, Esq. Lee L. Willis, Esq. Ausley & McMullen Law Firm P.O. Box 391 Tallahassee, FL 32302</p> <p>Joseph A. McGlothlin, Esq. Office of Public Counsel c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399</p> <p>Jeffrey A. Stone, Esq. Russell A. Badders, Esq. Steven R. Griffin Beggs & Lane Law Firm P.O. Box 12950 Pensacola, FL 32591</p> <p>Timothy J. Perry, Esq. McWhirter Reeves Law Firm 117. S. Gadsden Street Tallahassee, FL 32301</p> <p>Ms. Angela Llewellyn Tampa Electric Company P.O. Box 111 Tampa, FL 33601</p> <p>Ms. Susan D. Ritenour</p>	<p>Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Reeves Law Firm 400 N. Tampa Street, Ste. 2450 Tampa, FL 33602</p> <p>Norman H. Horton, Jr. Messer, Caparello & Self, P.A. P.O. Box 1876 Tallahassee, FL 32302-1876</p> <p>John T. Butler, Esq. Squire, Sanders & Dempsey, LLP 200 S. Biscayne Blvd., Suite 4000 Miami, FL 33131-2398</p> <p>Robert Scheffel Wright John T. LaVia, III Young van Assenderp, P.A. 225 S. Adams Street, Suite 200 Tallahassee, FL 32301</p> <p>AARP c/o Mike Twomey P.O. Box 5256 Tallahassee, FL 32314-5256</p> <p>Karen S. White, Lt. Col., USAF Damund E. Williams, Capt., USAF AFLSA/JACL-ULT 139 Barnes Drive, Suit 1 Tyndall Air Force Base, FL 32403-5319</p> <p>R. Wade Litchfield, Esq. Florida Power & Light 700 Universe Boulevard</p>
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