

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power) Docket No. 060001-EI
Cost Recovery Clause and Generating)
Performance Incentive Factor) Filed: May 1, 2006

**PEF'S OBJECTIONS TO OPC'S THIRD SET OF
INTERROGATORIES (NOS. 18-24)**

Pursuant to Fla. Admin. Code R. 28-106.206 and Rule 1.340 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC") Third Set of Interrogatories to PEF, Nos. 18-24, and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's Third Set of Interrogatories, 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 interrogatory that calls for PEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

PEF objects to OPC's definition "(i)" given that it includes "affiliates" in the definitions of "PEF" and "Progress Fuels." PEF objects to any definition or interrogatory

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that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

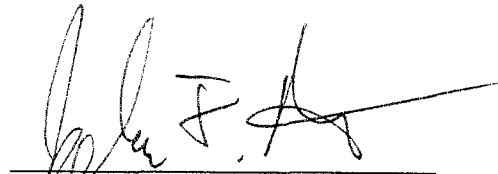
PEF generally objects to OPC's Third Set of Interrogatories to the extent that it requests for discovery to be produced on or before 20 days from the date of service of the request. The Order Establishing Procedure (Order No. PSC-06-0207-PCO-EI) issued March 15, 2006, ¶(V)(A)(5) indicates that discovery made prior to the filing of a utility's projection testimony and exhibits or after the hearing in this docket shall be made in the manner provided in Rules 1.280 through 1.400, Florida Rules of Civil Procedure. Rule 1.340(a) F.R.C.P allows 30 days to respond to discovery requests.

Additionally, PEF generally objects to OPC's interrogatories to the extent that they call for data or information 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.

Finally, PEF objects to any attempt by OPC to evade any numerical limitations set on interrogatories by asking multiple independent questions within single individual questions and subparts. 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

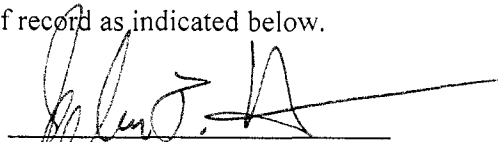
Interrogatory 21(a): PEF objects to Interrogatory 21(a) to the extent that it asks PEF for a legal opinion regarding environmental permits and regulations.



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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 15th day of May, 2006 to all parties of record as indicated below.



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