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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens of the State of Florida to require Progress Energy Florida, Inc. to refund to customers \$143 million

Docket No. 060658-EI

Submitted for Filing: February 5, 2007

PEF'S OBJECTIONS TO OPC'S THIRD SET OF INTERROGATORIES (Nos. 21-34)

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Fla. R. Civ. P., Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC's") Third Set of Interrogatories (Nos. 21-34).

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

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.

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Finally, PEF reserves the right to supplement any of its responses to OPC's Interrogatories if PEF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive information 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

Interrogatory No. 21. PEF objects to this interrogatory to the extent that the Interrogatory asks for PEF to obtain information from other entities (i.e., The PRB Users Group) that are not within PEF's control. The PRB Users Group is a subscriber-based organization. PEF does not have ownership of the PRB Users Group member list, nor does it have the right to provide the member list to non-members. Subject to and without waiving these objections or any of PEF's general objections, PEF and its experts will provide any such information that they have subject to any legal constraints that may exist on their rights to do so.

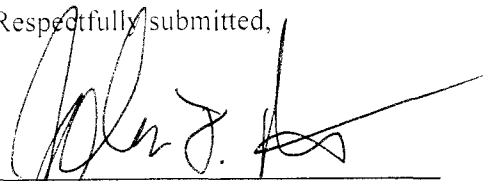
Interrogatory No. 22. PEF objects to this interrogatory to the extent that the Interrogatory asks for PEF to obtain information from other entities (i.e., The PRB Users Group) that are not within PEF's control. The PRB Users Group is a subscriber-based organization. PEF does not have ownership of the PRB Users Group member list, nor does it have the right to provide the member list to non-members. Subject to and without waiving these objections or any of PEF's general objections, PEF and its experts will provide any such information that they have subject to any legal constraints that may exist on their rights to do so.

Interrogatory No. 23. PEF objects to this interrogatory to the extent that it asks PEF to obtain information from an unrelated third-party (i.e., The PRB Users Group) that is not under PEF's control. Subject to and without waiving this objection or any of PEF's general objections, PEF will identify any such information that it or its experts are aware of.


Interrogatory No. 24: PEF objects to this interrogatory as irrelevant and not likely to lead to the discovery of admissible evidence. . Subject to and without waiving this objection or any of PEF's general objections, PEF will provide this information subject to any limitations in confidentiality agreements Mr. Hatt may have with such utilities, and/or any proprietary constraints that may exist with regard to such information, such as the legal right and/or permission to disclose information owned by third-party utilities that are not parties to this proceeding.

Interrogatory No. 32: PEF objects to this interrogatory because it appears to ask for documents consistent with a Request for Production of Documents. In addition, PEF objects to the extent that OPC is asking PEF to create data or information that does not already exist. Subject to and without waiving these objections or any of PEF's general objections, PEF will construe this question as a Request for Production of Documents and will produce responsive information.

Respectfully submitted,



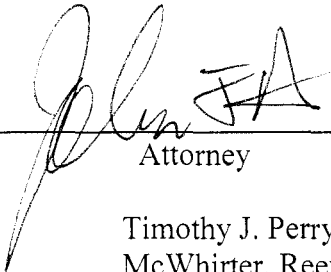
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Objections to Citizens' Third Set of Interrogatories (21-34), in Docket No. 060658-EI have been furnished by regular U.S. mail to the following this 5th day of February, 2007.



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