

Matilda Sanders

ORIGINAL

From: Costello, Jeanne [JCostello@CarltonFields.com]
 Sent: Thursday, May 24, 2007 11:16 AM
 To: Filings@psc.state.fl.us
 Cc: Asha Maharaj-Lucas, Asst. to J. McGlothlin; Beth Keating; Charles Beck; James Brew; John McWhirter, Jr.; John T. Lavia, III; Joseph A. McGlothlin; Karin Torain; Lisa Bennett; Mike Twomey; Patricia Christensen; Phyllis Davis, Asst. to P. Christensen; Rhonda Dular, Asst. to S. Wright; Schef Wright
 Subject: Filing: Docket 070052

Attachments: PEF Objections to OPC 1st RFP Nos. 1-2.pdf; PEF Objections to OPC 1st Interr Nos. 1-18.pdf



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<<PEF Objections to OPC 1st RFP Nos. 1-2.pdf>> <<PEF Objections to

OPC 1st Interr Nos. 1-18.pdf>>

Attached for filing and e-service on behalf of Progress Energy Florida, Inc. are the following documents:

1. PEF's Objections to OPC's First Set of Interrogatories (Nos. 1-18); and
2. PEF's Objections to OPC's First Request to Produce Documents (Nos. 1-2).

Paper copies will be served in today's mail to all parties of record.

Jeanne Costello
 Legal Administrative Assistant
 James Michael Walls / Dianne M. Triplett Carlton Fields
 4221 W. Boy Scout Blvd., Ste. 1000
 Tampa, FL 33607
 Email: jcostello@carltonfields.com
 Direct Dial: (813) 229-4917
 Fax: (813) 229-4133
 www.carltonfields.com

*Interrog
1-18*

DOCUMENT NUMBER-DATE

04262 MAY 24 5

FPSC-COMMISSION CLERK

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DOCUMENT NUMBER-DATE

04263 MAY 24 5

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Petition by Progress Energy Florida, Inc.
to recover costs of Crystal River Unit 3
update through fuel clause

Docket No. 070052-EI

Submitted for Filing: May 24, 2007

**PEF'S OBJECTIONS TO OPC'S FIRST
SET OF INTERROGATORIES (Nos. 1-18)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Fla. R. Civ. P., and the Order Establishing Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC's") First Set of Interrogatories (Nos. 1-18).

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's First 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 any Interrogatory or Request for Production that purports to require PEF or its experts to prepare studies, analyses, or to do work for OPC that has not been done for PEF, presumably at PEF's cost.

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 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.

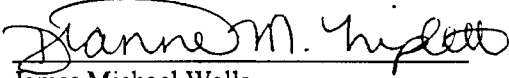
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FPSC-COMMISSION CLERK

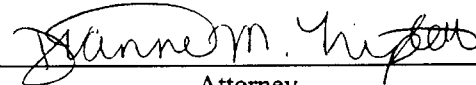
By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to OPC's discovery at the time PEF's response is due.

R. Alexander Glenn
Deputy General Counsel – Florida
John T. Burnett
Associate General Counsel
PROGRESS ENERGY SERVICE
COMPANY, LLC
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5587
Facsimile: (727) 820-5519


James Michael Walls
Florida Bar No. 0706242
Dianne M. Triplett
Florida Bar No. 0872431
CARLTON FIELDS, P.A.
4421 W. Boy Scout Blvd.
Ste. 1000 (33607)
Post Office Box 3239
Tampa, FL 33601-3239
Telephone: (813) 223-7000
Facsimile: (813) 229-4133

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Objections to Citizens First Set of Interrogatories (Nos. 1-18), in Docket No. 070052-EI has been furnished by regular U.S. mail to the following this 24th day of May, 2007.



Attorney

Joseph McGlothlin
Office of the Public Counsel
c/o The Florida Legislature
111 W. Madison St., Room 812
Tallahassee, FL 32399

John McWhirter
McWhirter Reeves Law Firm
400 N. Tampa Street, Ste. 2450
Tampa, FL 33602

Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

Mike Twomey
P.O. Box 5256
Tallahassee, FL 32314

Dept. of Community Affairs
Charles Gauthier
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Beth Keating
106 E. College Ave. Ste. 1200
Tallahassee, FL 32301

Department of Environmental Protection
Michael P. Halpin
2600 Blairstone Road MS 48
Tallahassee, FL 32301

Fla. Cable Communications Assoc.
246 E. 6th Avenue, Ste. 100
Tallahassee, FL 32303

Lisa Bennett
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Robert Scheffel Wright
225 S. Adams Street, Ste. 200
Tallahassee, FL 32301

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.A.
1025 Thomas Jefferson St., NW
Eighth Floor, West Tower
Washington, DC 20007-5201

Karin S. Torain
PCS Administration (USA), Inc.
Suite 400
1101 Skokie Blvd.
Northbrook, IL 60062