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 Sent: Thursday, June 07, 2007 2:00 PM
 To: Filings@psc.state.fl.us
 Cc: Beth Keating; Charles Beck; James Brew; John McWhirter, Jr.; John T. Lavia, III; Joseph A. McGlothlin; Karin Torain; Lisa Bennett; Mike Twomey; Patricia Christensen; Schef Wright
 Subject: E-filing Docket 070052-EI

Attachments: PEF Objections FIPUG 1st ROGs Nos. 1-15.pdf; PEF Objections FIPUG 1st RFP Nos. 1-6.pdf

ORIGINAL



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The following documents are being electronically filed on behalf of Progress Energy Florida, Inc.:

1. PEF's Objections to FIPUG's First Set of Interrogatories (Nos. 1-15); and
2. PEF's Objections to FIPUG's First Request to Produce Documents (Nos. 1-6).

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INTERROG 1-15
 DOCUMENT NUMBER-DATE
 04619 JUN-7 5
 FPSC-COMMISSION CLERK

R00 1-6
 DOCUMENT NUMBER-DATE
 04620 JUN-7 5
 FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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: June 7, 2007

**PEF'S OBJECTIONS TO FIPUG'S FIRST
SET OF INTERROGATORIES (Nos. 1-15)**

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 Florida Power Users Group's ("FIPUG's") First Set of Interrogatories (Nos. 1-15).

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in FIPUG'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 FIPUG'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 FIPUG that has not been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to FIPUG'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 FIPUG'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 FIPUG's discovery at the time PEF's response is due.

SPECIFIC OBJECTIONS

Interrogatory 4: PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for FIPUG, presumably at PEF's expense, where such work or analyses have not been previously done for PEF. PEF further objects to this interrogatory, because by responding PEF would be required to produce its confidential attorney work product, and FIPUG can access this public information just the same as PEF.

Interrogatory 5: PEF objects to this interrogatory to the extent it asks PEF to do work or perform analyses for FIPUG, presumably at PEF's expense, where such work or analyses have not been previously done for PEF. PEF further objects to this interrogatory, because by responding PEF would be required to produce its confidential attorney work product, and FIPUG can access this public information just the same as PEF.

Interrogatory 6: PEF objects to this interrogatory to the extent it attempts to elicit information regarding entities other than PEF or those acting on PEF's behalf. PEF further objects to this interrogatory to the extent it requires PEF to do work it has not done itself.

Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory to the best of its knowledge.

Interrogatory 9(a): PEF objects to this interrogatory to the extent it summarizes an order of the Public Service Commission and purports to give a legal opinion as to the contents of that order. PEF further objects to this interrogatory because the requested information is irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

Interrogatory 9(b): PEF objects to this interrogatory to the extent it summarizes an order of the Public Service Commission and purports to give a legal opinion as to what that order stated. PEF further objects to this interrogatory because the requested information is irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. PEF also objects to this interrogatory because it is overbroad and unduly burdensome to identify every capital addition made to CR3 over the last thirty plus years. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to identify any major capital additions to CR3.

Interrogatory 9(c): PEF objects to this interrogatory to the extent it summarizes an order of the Public Service Commission and purports to give a legal opinion as to what that order stated. PEF further objects to this interrogatory because the requested information is irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

Interrogatory 10: PEF objects to this interrogatory because the requested information is irrelevant to the matters at issue in this proceeding. Subject to and without waiving this

objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

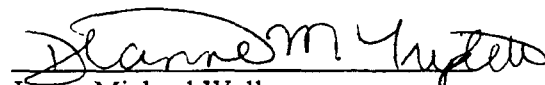
Interrogatory 11: PEF objects to this interrogatory because the requested information is irrelevant to the matters at issue in this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

Interrogatory 12: PEF objects to this interrogatory to the extent it requires PEF to do work or prepare analyses that it has not already done for itself. PEF further objects to this interrogatory because the requested information is irrelevant to the matters at issue in this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

Interrogatory 13: PEF objects to this interrogatory to the extent it requires PEF to do work or prepare analyses that it has not already done for itself. PEF further objects to this interrogatory because the requested information is irrelevant to the matters at issue in this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

Interrogatory 14: PEF objects to this interrogatory because the requested information is irrelevant to the matters at issue in this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will make a reasonable effort to respond to this interrogatory.

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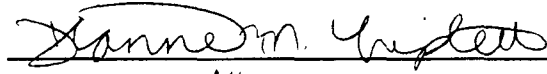

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Objections to FIPUG's First Set of Interrogatories (Nos. 1-15), in Docket No. 070052-EI has been furnished by regular U.S. mail to the following this 7th day of June, 2007.


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