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**From:** Costello, Jeanne [JCostello@CarltonFields.com]  
**Sent:** Thursday, June 05, 2008 1:40 PM  
**To:** Filings@psc.state.fl.us  
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**Subject:** Filing Docket 080009  
**Attachments:** Dkt 080009 PEF Objections to OPC 2nd Interr Nos. 22-34.pdf; Dkt 080009 PEF Objections OPC 2nd Req for Prod Nos. 12-57.pdf



Dkt 080009 Dkt 080009

Objections to Objections OPC

<<Dkt 080009 PEF Objections OPC 2nd Req for Prod Nos. 12-57.pdf>>

Docket No. 080009 In re: Nuclear Power Plant Cost Recovery Clause Electronic Filing and e-service

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1. Progress Energy Florida Inc.'s Objections to OPC's Second Set of Interrogatories (Nos. 22-34) [3 pages]; and 2. Progress Energy Florida, Inc's Objections to OPC's Second Request to Produce Documents (Nos. 12-57) [8 pages].

Thank you for your attention to this request.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Nuclear Power Plant Cost  
Recovery Clause

Docket No. 080009-EI

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Submitted for Filing: June 5, 2008

**PEF'S OBJECTIONS TO OPC'S SECOND  
SET OF INTERROGATORIES (Nos. 22-34)**

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") Second Set of Interrogatories (Nos. 22-34).

**GENERAL OBJECTIONS**

With respect to the "Definitions" and "Instructions" in OPC's Second 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.

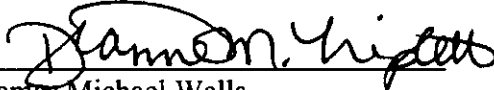
Finally, PEF reserves the right to supplement any of its responses to OPC's Interrogatories if PEF cannot locate the answers immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive information in the course of this proceeding.

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 32: PEF objects to this interrogatory to the extent it suggests that PEF has obligations to make determinations and evaluations that are not called for and/or that are not consistent with controlling rules and law.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic service and U.S. Mail this 5<sup>th</sup> day of June, 2008.

  
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