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Subject: Filing Docket 120009
Attachments: Docket 120009 PEF Objections to Citizens' First Req for Production.pdf; Docket 120009 PEF Objections Citizens' First Interrogatories.pdf



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Docket 120009

In re: Nuclear Cost Recovery Clause

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

1. Progress Energy Florida, Inc.'s Objections to Citizens' First Request for Production of Documents (No. 1) [4 pages]; and
2. Progress Energy Florida, Inc.'s Objections to Citizens' First Request for Production of Documents (No. 1) [5 pages].

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 120009-EI
Submitted for filing: May 29, 2012

**PROGRESS ENERGY FLORIDA INC.'S OBJECTIONS TO CITIZENS'
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NO. 1)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure, Order No. PSC-11-0179-PCO-EI, issued March 29, 2011 (the "Order") in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to Office of Public Counsel's ("OPC" or "Citizens") First Request for Production of Documents (No. 1) and states as follows:

INTRODUCTION

PEF will make all responsive documents available for inspection and copying at the offices of PEF, 106 E. College Ave., Suite 800, Tallahassee, Florida, 32301 at a mutually-convenient time, or will produce the documents in some other manner or at some other place that is mutually convenient to both PEF and OPC for purposes of inspection, copying, or handling of the responsive documents.

Additionally, PEF will not provide information or documents 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 in response to this Request. PEF will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that a Request calls for the production of privileged or protected information or documents.

OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's First Request for Production, PEF objects to the Definitions and Instructions that seek to encompass persons or entities other than PEF who are not parties to this action and thus are not subject to discovery. No responses to the requests will be made on behalf of persons or entities other than PEF.

PEF also objects to OPC's request that PEF provide documents in a specific electronic format because there is no such requirement under the applicable rules and law. PEF however reserves the right to provide such documents in a searchable electronic format at its discretion and as agreed to by the parties.

PEF objects to the Instructions to the extent documents are requested on or after January 1, 2005 to present as an overly broad time frame that is not calculated to lead to the discovery of admissible evidence in this proceeding and could potentially require an overly burdensome search for and production of documents.

Respectfully submitted this 29th day of May, 2012.

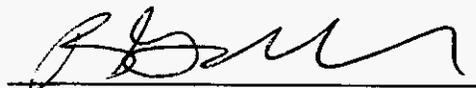
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CERTIFICATE OF SERVICE

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 and U.S. Mail this 29th day of May, 2012.



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