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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.

DOCKET NO. 99-1462-EU RECORDED AND REPORTING FILED: OCTOBER 29, 1999

OKEECHOBEE GENERATING COMPANY'S OBJECTIONS TO FLORIDA POWER CORPORATION'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Okeechobee Generating Company, L.L.C. ("OGC"), pursuant to the Order Establishing Procedure issued in this docket on October 13, 1999, hereby respectfully submits its objections to Florida Power Corporation's ("FPC") First Request for Production of Documents which were served on OGC on October 19, 1999.

GENERAL OBJECTIONS

OGC objects to FPC's First Request for Production of Documents on the grounds set forth in paragraphs A-G below. Each of OGC's responses will be subject to and qualified by these general objections.

A. FPC is not a party to this proceeding. Accordingly, OGC objects to FPC's First Request for Production of Documents in their entirety. Rule 1.350, Florida Rules of Civil Procedure ("FRCP"),

which is made specifically applicable to this proceeding by Uniform Rule 28-106.206, Florida Administrative Code, authorizes only parties to propound discovery. If FPC is made a party to this proceeding, OGC will respond as set forth in General Objection C.

B. OGC objects to the "Definitions" included in FPC's First Request for Production of Documents to the extent that they purport

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to impose upon OGC obligations that OGC does not have under the law that FPC invokes. Specifically, OGC objects to the definition of "you" or "your" to include PG&E Generating Company, L.L.C., and/or PG&E Corporation, including any subsidiaries, affiliates, and divisions or departments of same. PG&E Generating Company, L.L.C., and PG&E Corporation are not parties to this proceeding and are under no obligation to respond to FPC's First Set of Interrogatories.

C. OGC objects to FPC's request that the documents be produced on or before October 29, 1999. Rule 1.350, FRCP, requires that documents be produced within 30 days of service of a request to produce. However, in an effort to be reasonable and to accommodate the orderly progress of this proceeding, OGC stated in its Response and Memorandum of Law in Opposition to FPC's Motion to Expedite Discovery and Motion for Alternate Expedited Discovery Schedule, filed with the Commission on October 26, 1999, that OGC will agree to respond to FPC's discovery requests as follows. OGC will respond within 20 days of service if FPC has been granted party status within such 20-day period, and, if FPC has not been granted party status within 20 days following service of its discovery requests, OGC will respond within two working days of receipt of notice that FPC has been granted party status.

D. OGC objects to the production of documents in the offices of FPC's attorneys, Carlton, Fields, Ward, Emmanuel, Smith & Cutler,

P.A., Nations Bank Tower, Suite 2300, One Progress Plaza, St. Petersburg, Florida 33701. Pursuant to Rule 1.350, FRCP, the requested documents that are not subject to another objection will be produced where those documents are kept in the usual course of business or at a place that is mutually acceptable to the parties.

E. OGC objects to any request for production of documents that calls for 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, whether such privilege or protection appears at the time response is first made to these requests to produce or is later determined to be applicable for any reason. OGC in no way intends to waive any such privilege or protection.

F. OGC objects to any request that seeks the production of documents containing confidential, proprietary business information and/or the compilation of information that is considered confidential, proprietary business information.

G. OGC objects to any request that requires the production of "all" or "each" document as it cannot give assurances, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

SPECIFIC OBJECTIONS

OGC makes the following specific objections to FPC's First Request for Production of Documents. OGC's specific objections are numbered to correspond with the number of FPC's interrogatories.

1. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the extent possible with non-confidential, non-proprietary documents.

2. OGC objects to this request on the grounds that it is vague (as to the meaning of "plans") and seeks confidential, proprietary business information. OGC will attempt to respond to the extent possible with non-confidential, non-proprietary documents.

3. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

4. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

5. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible

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6. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

7. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

8. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

9. OGC objects to this request on the grounds that it is overbroad and unduly burdensome. For example, arguably all documents in In Re: Generic Investigation Into the Aggregate Electric Utility Reserve Margins Planned for Peninsular Florida, (Docket No. 981890-EU), a proceeding to which FPC is a party, are responsive to this request.

10. OGC objects to this request on the grounds that it is overbroad and unduly burdensome. For example, arguably all documents in In Re: Generic Investigation Into the Aggregate Electric Utility Reserve Margins Planned for Peninsular Florida, (Docket No. 981890-EU) in which FPC is a party, are responsive to

this request.

11. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

12. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

13. OGC objects to this request on the ground that it seeks documents containing confidential, proprietary business information. OGC also objects to this request on the grounds that it seeks documents containing attorney-client privileged communications. OGC also objects to this request as overbroad and unduly burdensome. For example, all the pleadings filed in this docket are arguably responsive to this request. OGC will attempt to respond to this request to the extent possible with non-confidential, non-proprietary, non-privileged documents.

14. OGC objects to this request on the ground that it seeks documents containing confidential, proprietary business information. OGC also objects to this request on the grounds that it seeks documents containing attorney-client privileged communications. OGC also objects to this request as overbroad and unduly burdensome. OGC will attempt to respond to this request to the extent possible

with non-confidential, non-proprietary, non-privileged documents.

15. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents. GE's report on the referenced transmission system impact studies has already been furnished to FPC and all others on the attached certificate of service.

16. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

17. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

18. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

19. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

20. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

21. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC also objects to this request on the grounds that it seeks documents protected by the attorney-client privilege and/or the work product doctrine. OGC will attempt to respond to the request to the extent possible with non-privileged, non-confidential, non-proprietary documents.

22. OGC objects to this request on the grounds that it is vague (as to the meaning of "arguably inconsistent.") OGC also objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC also objects to this request on the grounds that it seeks documents protected by the attorney-client privilege and/or the work product doctrine. OGC will attempt to respond to the request to the extent possible with non-privileged, non-confidential, non-proprietary documents.

23. OGC objects to this request on the grounds that it is overbroad and unduly burdensome. For example, all documents in In Re: Generic Investigation Into the Aggregate Electric Utility Reserve Margins Planned for Peninsular Florida, (Docket No. 981890-

EU), a docket to which FPC is a party, are responsive to this request.

24. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

25. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

26. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

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32. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

33. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

34. OGC objects to this request on the basis that it seeks documents containing attorney work product. OGC will attempt to respond to this request to the extent possible with documents that do not contain attorney work product.

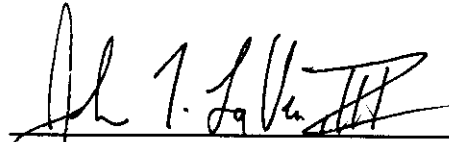
35. OGC objects to this request on the basis that it seeks documents containing attorney work product. OGC will attempt to

respond to this request to the extent possible with documents that do not contain attorney work product.

36. OGC objects to this request on the grounds that it is vague and overbroad. OGC also objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

37. OGC objects to this request on the grounds that it has not yet identified all documents on which it intends to rely at the final hearing. Accordingly, OGC will attempt to respond to this request to the extent possible at the time of OGC's response, but OGC reserves the right to rely on additional documents at the final hearing.

Respectfully submitted this 29th day of October, 1999.



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CERTIFICATE OF SERVICE
DOCKET NO. 991462-EU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*), facsimile transmission (**) or by United States Mail, postage prepaid, on the following individuals this 29th day of October, 1999.

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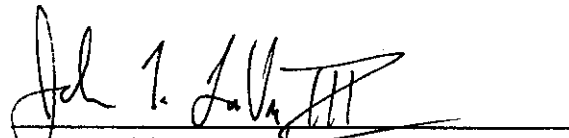
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