

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

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

DOCKET NO. 991462-EU

Submitted for filing: November 15, 1999

RECORDS AND REPORTING

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**FLORIDA POWER CORPORATION'S OBJECTIONS  
TO OKEECHOBEE GENERATING COMPANY'S  
FIRST SET OF INTERROGATORIES**

Florida Power Corporation ("FPC"), by its attorneys, hereby files its objections to Okeechobee Generating Company, L.L.C.'s ("OGC") First Set of Interrogatories to Florida Power Corporation (No. 1- 37) as follows:

**General Objections**

OGC as petitioner carries the affirmative burden in this proceeding of demonstrating that its project will satisfy the statutory need criteria. OGC did not join FPC as a party to this proceeding, thereby admitting that it intended to rely on no discovery from FPC in order to meet its burden of proof in this proceeding. And, FPC will not offer the testimony of anyone from FPC in opposition to OGC's petition. Nonetheless, OGC has now served extensive, unduly burdensome discovery on FPC, including 37 interrogatories. FPC objects to responding to this discovery.

Without waiving this position, FPC makes, inter alia, both general and specific objections

\_\_\_\_\_ to OGC's interrogatories to FPC, as follows.

- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTP \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 2 \_\_\_\_\_
- MAS 3 \_\_\_\_\_
- OPC \_\_\_\_\_
- PAI \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- WAW \_\_\_\_\_
- OTH \_\_\_\_\_

FPC objects to any interrogatory that calls for 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, whether such privilege

or protection appears at the time response is first made to these interrogatories or is later

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*[Signature]*  
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DOCUMENT NUMBER-DATE

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determined to be applicable based on the discovery of documents, investigation, or analysis.

FPC in no way intends to waive any such privilege or protection.

FPC objects to any interrogatory that calls for confidential proprietary business information and/or the compilation of information that is considered confidential proprietary business information.

FPC objects to any interrogatory that calls for the creation of information as opposed to the reporting of presently existing information as purporting to expand FPC's obligations under the Uniform Rules and Rule 1.340, Florida Rules of Civil Procedure.

FPC further objects to these interrogatories and any definitions or instructions that purport to expand FPC's obligations under applicable law.

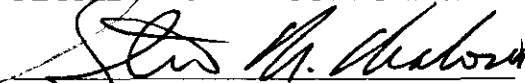
FPC incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.

### Specific Objections

FPC objects to interrogatories 10-25 and 29-37 as irrelevant, immaterial, argumentative, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence relating to an alleged need for OGC's plant.

Respectfully submitted,

FLORIDA POWER CORPORATION

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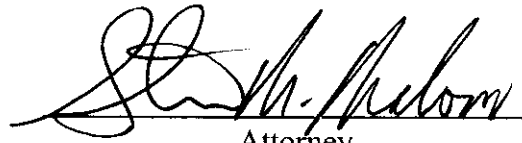
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing FLORIDA POWER CORPORATION'S OBJECTIONS TO OKEECHOBEE GENERATING COMPANY'S FIRST SET OF INTERROGATORIES has been furnished by fax to Robert Scheffel Wright and John Moyle as counsel for Okeechobee Generating Company and by U.S. Mail to all counsel of record this 15<sup>th</sup> day of November, 1999.



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