

Ruth Nettles

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Sent: Monday, June 01, 2009 4:45 PM
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Subject: Electronic Filing Docket No. 090009-EI
Attachments: PEF Object to Staffs 2nd Interrogatories.pdf

Matthew R. Bernier, Carlton Fields, P.A., 215 South Monroe Street, Ste. 500, Tallahassee, FL 32301, mbernier@carltonfields.com is the person responsible for this electronic filing;

The filing is to be made in Docket 090009-EI, In re: Nuclear Power Plant Cost Recovery Clause;

The total number of pages is 4;

The attached document is Progress Energy Florida, Inc.'s Ojbections to Staff's Second Set of Interrogatories (nos. 13-33).

Thanks.

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DOCUMENT NUMBER-DATE

05439 JUN-18

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: NUCLEAR POWER PLANT
COST RECOVERY CLAUSE

Docket No. 090009-EI
Submitted for Filing: June 1, 2009

**PEF'S OBJECTIONS TO STAFF'S SECOND SET
OF INTERROGATORIES (NOS. 13-33)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to The Florida Public Service Commission Staff's ("Staff") First Set of Interrogatories (Nos. 13-33) and states as follows:

GENERAL OBJECTIONS

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 Staff for purposes of inspection, copying, or handling of the responsive documents.

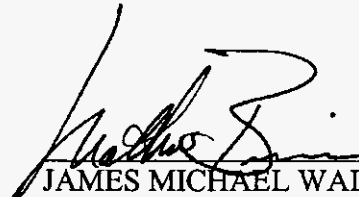
With respect to any "Definitions" and "Instructions" in Staff's Interrogatories, PEF objects to any definitions or instructions that are inconsistent with PEF's discovery obligations under applicable rules. If some question arises as to PEF's discovery obligations, PEF will comply with applicable rules and not with any of Staff's definitions or instructions that are inconsistent with those rules.

SPECIFIC OBJECTIONS

Request 33: PEF objects to Staff's interrogatory number 33 because that request seeks to require PEF to perform additional studies for Staff's benefit that have not been performed by or for PEF, presumably at PEF's expense. There is no requirement in the applicable Rules or Order that requires PEF to create additional studies in response to a discovery request that the Company has not previously created or had created on its behalf.

Respectfully submitted this 1st of June, 2009.


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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 1st day of June, 2009.


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