

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Examination of the Outage and
Replacement Fuel/Power Costs
Associated with the CR3 Steam
Generator Replacement Project
by Progress Energy Florida, Inc.

Docket No. 100437-EI

Filed: August 15, 2011

**PEF'S OBJECTIONS TO
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC
d/b/a PCS PHOSPHATE – WHITE SPRINGS'
FIRST SET OF INTERROGATORIES (NOS. 1-2)**

Pursuant to Fla. Admin. Code R. 28-106.206 and Rule 1.340 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs' ("White Springs") First Set of Interrogatories (Nos. 1-2) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" in White Springs First 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 White Springs 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 definition or interrogatory that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

PEF also 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 White Springs that has not been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to White Springs First Set of 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.

PEF also objects to any attempt by White Springs to evade the numerical limitations set on interrogatories in the Order Establishing Procedure by asking multiple independent questions within single individual questions and subparts.

Finally, PEF reserves the right to supplement any of its responses to White Springs First Set of 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 White Springs discovery at the time PEF's response is due.



R. ALEXANDER GLENN

General Counsel - Florida

JOHN T. BURNETT

Associate General Counsel - Florida

PROGRESS ENERGY SERVICE COMPANY, LLC

299 First Avenue North

St. Petersburg, FL 33701

Telephone: (727) 820-5184

Facsimile: (727) 820-5519

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via electronic and U.S. Mail this 15th day of August, 2011 to all parties of record as indicated below.



JOHN T. BURNETT

Keino Young/Lisa Bennett/Anna Norris
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
kyoung@psc.state.fl.us
lbennett@psc.state.fl.us
anorris@psc.state.fl.us

James W. Brew / F. Alvin Taylor
c/o Brickfield Law Firm
1025 Thomas Jefferson St., NW
8th Floor, West Tower
Washington, DC 20007
jbrew@bbrslaw.com

George Cavros, Esquire
120 E. Oakland Park Blvd., Ste. 105
Ft. Lauderdale, FL 33334
George@cavros-law.com

Florida Industrial Power Users Group
Vicki Gordon Kaufman
John C. Moyle, Jr.
Keefe Anchors Gordon & Moyle, PA
118 North Gadsden Street
Tallahassee, FL 32301
vkaufman@kagmlaw.com
jmoyle@kagmlaw.com

J.R.Kelly/Charles Rehwinkel/Erik Sayler
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, #812
Tallahassee, FL 32399
Kelly.jr@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us
Sayler.erik@leg.state.fl.us