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FLORIDA PUBLIC SERVICE COMMISSION

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In Re: Generic Investigation Into The)
Aggregate Electric Utility Reserve)
Margins Planned for Peninsular)
Florida.)

MAIL ROOM
Docket No. 981890-EU
Submitted for filing: September 14, 1999

**OBJECTION OF FLORIDA RELIABILITY COORDINAING COUNCIL, INC.,
TO FIRST SET OF INTERROGATORIES OF
FLORIDA INDUSTRIAL POWER USERS GROUP, INC.**

The Florida Reliability Coordinating Council, Inc. (FRCC), objects to the First Set of Interrogatories propounded to FRCC by the Florida Industrial Power Users Group, Inc. (FIPUG). This proceeding lacks the requisite elements to fall under Sections 120.569 and 120.57, Florida Statutes, and discovery is not available pursuant to Section 120.569(2)(d), Florida Statutes. Further, FIPUG's interrogatory is objectionable, as the source of the information sought by FIPUG is equally available to FIPUG and FRCC, and FIPUG should make its own calculations, rather than seek to impose the burden on FRCC to those calculations.

1. Though designated by the Commission as a formal proceeding pursuant to Sections 120.569 and 120.57, Florida Statutes, this proceeding lacks the requisite elements to fall under those statutes. Accordingly, discovery is not available pursuant to Section 120.569(2)(d),

Florida Statutes. FRCC has not objected to Staff discovery to date, as the Commission's general investigative authority and power to require reports and information has arguably provided as basis for Commission Staff discovery. FIPUG, however, has no authority to require that its inquiries be responded to by any party and FRCC therefore objects to its interrogatories.

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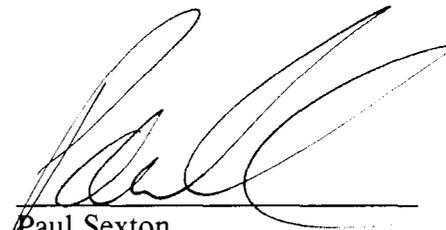
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2. FIPUG's First Set of Interrogatories to FRCC contains one interrogatory, which requests that FRCC provide a calculation of the reserve margin for the period 2000 to 2007 assuming all customers taking direct load management service, curtailable service, or interruptible service gave notice to change to firm service. This information is readily ascertainable by reference to the studies and reports filed with the Commission by FRCC. Because the source of information is equally available to FIPUG and FRCC, FIPUG should make its own calculations. It is not appropriate to impose the burden on FRCC to make calculations that can just as easily be made by FIPUG.

WHEREFORE, FRCC objects to FIPUG's First Set of Interrogatories to FRCC.

Dated: September 14, 1999

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been provided by U.S. Mail to the following persons this 14th day of September, 1999.



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