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March 5, 1999

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Blanca S. Bayó, Director  
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**By Hand Delivery**

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**Re: Adoption of Numeric Conservation Goals  
for Florida Power and Light Company  
Docket Number 971004-EG**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") in Docket No. 971004-EG are the original and fifteen copies of Florida Power & Light Company's 1) Objections to and Request for Clarification of LEAF's Fourth Request for Production of Documents to Florida Power & Light Company and 2) Objections to and Request for Clarification of LEAF's Fourth Set of Interrogatories to Florida Power & Light Company. Also enclosed is an additional copy of the filing which we request that you stamp and return to our runner.

If you or your staff have any questions regarding this transmittal, please contact me at 222-2300.

Very truly yours,

*Charles A. Guyton*  
Charles A. Guyton

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
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RCH \_\_\_\_\_  
SEC 1  
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Enc.

cc: Counsel for all parties of record

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*Objections to  
4<sup>th</sup> set of POD's*  
DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

*Objections to 4<sup>th</sup>  
set of interrogatories*  
DOCUMENT NUMBER-DATE

02900 MAR-5 99

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Adoption of Numeric Conservation ) Docket No. 971004-EG  
Goals for Florida Power & Light Company ) March 5, 1999

**Florida Power & Light Company's Objections To and  
Request For Clarification Of LEAF's Fourth Request  
For Production To Florida Power & Light Company**

Florida Power & Light Company ("FPL"), pursuant to Order No. PSC-98-0384-PCO-EG, raises the following requests for clarification of and objections to the interrogatories in LEAF's Fourth Request For Production of Documents to Florida Power & Light Company in Docket No. 971004-EG.

GENERAL OBJECTION

FPL has undertaken a preliminary review of the documents potentially responsive to these requests, and in doing so has attempted to identify confidential, proprietary or privileged information. When such information has been identified, FPL has raised an objection. However, the scope of the information and documents requested, the size of the Company, the number of people who may have to review documents for confidential, proprietary and privileged material, and the ten days afforded to raise objections, leave FPL in the position that there may be additional information and documents identified as responsive that contain confidential, proprietary or privileged information. Therefore, FPL raises a general objection to providing information or documents that are confidential, proprietary or privileged.

FPL further objects to the Fourth Request For Production in its entirety because each request is tied to interrogatories to which FPL objects as being excessive and beyond the scope of permissible discovery in this proceeding. LEAF has already posed to FPL in excess of 300 interrogatories, and Order No. PSC-98-0384-PCO-EG limits parties to 300 interrogatories, including subparts. In support of this objection, FPL has attached Attachment A, which shows the number of questions posed in each numbered interrogatory in LEAF's first three sets of interrogatories. As can be seen from Attachment A, LEAF has already posed some 1,219 interrogatories to FPL, many of which are redundant. Since FPL is not obligated to respond to the interrogatories referred to in each of the requests, FPL objects to responding to corollary requests for production, because such a response would effectively require FPL to respond to the interrogatories.

FPL further objects to the location specified in the Production request. The documents are not kept in the ordinary course of business in Tallahassee. If FPL were to undertake the production requested, it would be made available at FPL's General Office in Miami, Florida during regular business hours upon reasonable notice to FPL's attorneys after the time for responding to LEAF's request.

## SPECIFIC OBJECTIONS

1. FPL has objected to Interrogatory 89 on the grounds that it is over broad and unduly burdensome. A request for "any data FPL possesses" is unduly broad, requiring so extensive a search throughout a Company the size of FPL as to be unreasonable. The second question posed regarding the identification of "all documents which contain data on the construction costs of combined-cycle gas plants..." is also over broad and unduly burdensome. The request is not even limited to documents within FPL's possession, much less documents FPL relied upon in developing its construction cost estimates in this proceeding. Responding to Interrogatory 89 would require FPL to conduct a survey beyond FPL as well as to conduct a comprehensive survey within FPL, and neither such action is reasonable. FPL further objected to Interrogatory 89 on the ground that it calls for FPL to reveal information which is confidential and proprietary to FPL. FPL further objected to Interrogatory 89 on the ground that it is redundant to Interrogatories 37 and 38 previously posed by LEAF. Since this request for production requests the documents identified by FPL in response to Interrogatory 89, FPL objects on the same grounds to this request for production.

2. FPL objected to Interrogatory 90 on the ground that it is over broad and unduly burdensome. The request is not constrained by time or type of technology. FPL has employed combined cycle technology for the better part of two decades and has had occasion to provide numerous estimates of combined cycle costs in planning documents filed with the Commission and elsewhere. Interrogatory 90 unreasonably attempts to require FPL to review and identify all such documents for construction cost estimates, a herculean task of questionable value and unlikely to lead to relevant information except as to recent estimates. FPL further objected to Interrogatory 90 on the ground that it calls for FPL to reveal information which is confidential and proprietary to FPL. FPL further objected to Interrogatory 90 on the ground that it is redundant to Interrogatories 37 and 38 previously posed by LEAF. FPL also objected to stating any estimates known to FPL of the costs of combined cycle plants FPL's affiliates have proposed to construct as irrelevant and immaterial and not likely to lead to admissible evidence. Since this request for production requests the documents identified by FPL in response to Interrogatory 90 and FPL has objected to interrogatory 90, FPL objects on the same grounds to this request for production.

3. FPL objected to Interrogatory 91 as over broad and unduly burdensome. The question calls for "any data in FPL's possession," thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to

produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. FPL further objected because the information requested may be confidential and proprietary to FPL. FPL further objected to Interrogatory 91 on the ground that it is redundant to Interrogatories 37 and 38 previously posed by LEAF. Since this request for production requests the documents identified by FPL in response to Interrogatory 91 and FPL has objected to interrogatory 91, FPL objects on the same grounds to this request for production.

4. FPL objected to Interrogatory 92 as over broad and unduly burdensome. The question calls for “any data in FPL’s possession,” thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. FPL further objected because the information requested may be confidential and proprietary to FPL. FPL further objected to Interrogatory 92 on the ground that it is redundant to Interrogatories 37 and 38 previously posed by LEAF. Since this request for production requests the documents identified by FPL in response to Interrogatory 92 and FPL has objected to interrogatory 92, FPL objects on the same grounds to this request for production.

5. FPL objected to Interrogatory 94 as over broad and unduly burdensome. The question calls for “any information in FPL’s possession,” thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. Since this request for production requests the documents identified by FPL in response to Interrogatory 94 and FPL has objected to interrogatory 94, FPL objects on the same grounds to this request for production.

6. FPL objected to Interrogatory 94 as over broad and unduly burdensome. The question calls for “any information in FPL’s possession,” thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. Since this request for production requests the documents identified by FPL in response to Interrogatory

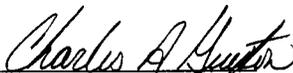
94 and FPL has objected to interrogatory 94, FPL objects on the same grounds to this request for production

7. FPL objected to Interrogatory 95 as over broad and unduly burdensome. The question calls for “any information in FPL’s possession,” thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. Since this request for production requests the documents identified by FPL in response to Interrogatory 95 and FPL has objected to interrogatory 95, FPL objects on the same grounds to this request for production.

8. FPL objected to Interrogatory 96 as over broad and unduly burdensome. The question calls for “any information in FPL’s possession,” thereby requiring a comprehensive Company-wide search of thousands of employees. The request also is unlimited by time, requiring FPL to produce operating data which could be over a decade (and maybe two) old. The breadth of the search necessary to respond to this interrogatory and the unlimited time frame for which the data is sought make the request unduly burdensome and unreasonable and probably irrelevant and immaterial and unlikely to lead to the production of admissible evidence. Since this request for production requests the documents identified by FPL in response to Interrogatory 96 and FPL has objected to interrogatory 96, FPL objects on the same grounds to this request for production.

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Attorneys for Florida Power &  
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By:   
Charles A. Guyton

**ATTACHMENT A**  
**Questions Posed In LEAF Interrogatories**

**LEAF's First Set of Interrogatories**

<u>Interrogatory Number</u>	<u>Explanation of Multiple Questions</u>	<u>Questions Posed</u>
1	The interrogatory poses two questions: (a) whether projection complete, (b) estimated date of completion.	2
2	The interrogatory has nine subparts with each of the subparts asking multiple questions or requiring the statement of multiple data. This question alone would probably exhaust most of LEAF's 300 interrogatories. However, since the entire question is premised upon FPL's projection being complete, and it was not at the time of the interrogatory. The question is properly counted as a single inquiry.	1
3	The interrogatory poses two questions: (a) whether goals proposal complete, (b) estimated date of completion.	2
4	The question poses two separate identification of documents.	2
5	The question poses two separate identifications of persons.	2
6		1
Total		10

**LEAF's Second Set of Interrogatories**

<u>Interrogatory Number</u>	<u>Explanation of Multiple Questions</u>	<u>Questions Posed</u>
7	This question asks for avoided cost estimates used to screen DSM measures in two forms - \$/kWh and \$/kW - by costing period, voltage level, customer type and DSM measure (where different. Since FPL used two different avoided generating units to screen DSM, this interrogatory poses at least two questions.	2
8		1

9	This question requires the Company to describe in detail each of the three computer models it used to develop avoided cost estimates. The question then has 5 lettered subparts applicable to each model. Moreover, each of the first four lettered subparts calls for multiple information. At a minimum this question calls for 18 answers (3 model descriptions and 15 answers to subparts).	18
10	This question asks for 10 types of data in the 7 lettered subparts. It requests these ten data observations for each year in the analysis and by costing or rating period within the analysis. Since FPL used two avoided generating units in its analysis and FPL analyzed 240 measures, the total number of data observations posed in this interrogatory is, at a minimum: 240 measures x 2 avoided generating units x 20 years x 10 items of data requested = 96,000, and this does not address the costing or rating periods. At a minimum, this interrogatory seeks 10 different types of data for each of the two types of units FPL used as avoided units.	20
11	This interrogatory asks two questions for each of the responses (minimum 20) provided in Interrogatory 10: (a) a rationale for each estimate and (b) identification of all supporting documents.	40
12	This question asks whether FPL included as benefits: SO emission allowances, and 25 other types of avoided costs potentially associated with complying with each of three separate federal environmental acts.	76
13		1
14	This request asks for FPL's estimates of four separate dates specified in lettered subparts.	4
15	This interrogatory asks two questions regarding each of the four dates specified in Interrogatory 14: (a) FPL's rationale or basis, and (b) identification of all documents.	8
16	This interrogatory asks for a fuel forecast and then asks for identification of supporting documents.	2
17	This interrogatory asks for fuel price projections and then asks for identification of supporting documentation.	2

18	This interrogatory asks for all inflation and escalation rates used in FPL's avoided cost calculations. FPL used 3 such rates.	3
19	This interrogatory asks for the discount rate used and then asks that it be documented.	2
20	This interrogatory asks for the loss factors used in avoided cost estimates (2), and then asks whether the factors are average or incremental.	4
21	Setting aside that this interrogatory asks for data by year and by costing period, this interrogatory also asks for two types of measurements of two types of losses (four inquiries). a second question is posed as to how each of the four estimates was derived (four more inquiries). The question then asks for identification of supporting documents for each of the data (four more inquiries). In a third part the interrogatory asks	12
22		1
23		1
24	This question contains one question in the introduction and two questions in the lettered subparts.	3
25		1
26	This interrogatory poses three questions for each of the cost components included in the Company's avoided cost estimate: (a) specify the component, (b) explain the basis for allocation to costing periods, and (c) identify supporting documents. Since FPL has 8 components of avoided cost for each of the two avoided units it employed, this interrogatory poses 24 questions to FPL.	24
27	Setting aside that the question asks for data by year and by costing period, this interrogatory poses three questions: (a) average avoided energy cost, (b) an explanation of how the average was determined, and (c) the maximum system load (in each costing period).	3
28	This interrogatory asks for two different types of demand by voltage level (there are 22 FPL voltage levels) for each of 13 years. This interrogatory asks for 572 data entries.	44

29	For each type of demand used in the avoided cost calculation (14, this interrogatory poses two distinct questions: (a) how the demand was derived, and (b) identification of all work papers.	28
30	This interrogatory asks for 13 different types of information about each planned or proposed generating facility for peninsular Florida. If limited to FPL's planned additions of four units, this interrogatory poses 52 questions.	52
31	This question asks for FPL's generation expansion plans (2) used in the avoided cost analysis. Then it asks for each year in the ten year planning horizon 7 different types of data.	72
32	This interrogatory poses two distinct questions regarding each of the generation expansion plans (2) used by FPL.	4
33	This interrogatory asks for identification of the documents supporting each of the four answers provided in Interrogatory 32.	4
34	This interrogatory asks for six different types of information in five lettered subparts.	6
35	This interrogatory asks for six different types of information in five lettered subparts.	6
36	This interrogatory asks for the rationale for each of the 12 answers provided in response to Interrogatories 34 and 35. It then asks for identification of documents supporting each of the 12 answers.	24
37	This interrogatory poses three questions: (a) provide survey data, (b) describe in detail survey data, and (c) identify documents with such data.	3
38	This interrogatory poses two questions: (a) describe survey data, and (b) identify documents with survey data.	2
39	This interrogatory asks for a detailed description of survey data for two types of information: (a) initial heat rates, and (b) heat rate degradation. The interrogatory then asks for identification of all supporting documents for the answers to the two questions.	4
40	The interrogatory asks for two types of data: cost of capital, capital structure.	2

41	This interrogatory asks for the two avoided generation costs components employed by FPL 14 different types of data in 13 lettered and numbered subparts.	28
42	This interrogatory asks two questions for each of the 28 types of information provided in response to Interrogatory 41: (a) a rationale, and (b) identification of supporting documents.	56
43		2
44	This interrogatory asks for each resource addition not considered avoidable (2), ten questions in 7 lettered subparts.	20
45	This interrogatory poses two questions for each of the 20 answers provided in Interrogatory 44: (a) a rationale, and (b) identification of supporting documents.	40
46	Although this question has 7 lettered subparts, it is inapplicable because FPL did not employ avoided capacity purchases as an avoided supply.	1
47		1
48		2
49		1
50	This question asks about two different types of transactions for (a) FPL and (b) peninsular Florida. It then asks for (a) description of each transaction and (b) identification of all supporting documents.	12
51	This interrogatory asks one general question, and then it poses three specific question for each year of the avoided cost projection. Setting aside the request for annual answers, this interrogatory poses at least 4 separate questions.	4
52		1
53	This question asks for documentation as to four aspects of avoided costs.	4
54	This question asks for documentation as to four aspects of avoided costs.	4

55		1
56	This interrogatory asks for each FPL generating unit (30), 2 types of heat rates and 4 types of emission rates, 180 data entries.	30
57	This interrogatory poses four questions as to each Planned addition of pollution control equipment to existing plants.	4
58	This interrogatory asks for documentation for each of the planned additions provided in response to Interrogatory 57. It then asks three questions (a) specify equipment (b) state why equipment considered, (c) identify supporting documents, for additional equipment being considered but not provided in response to Interrogatory 57.	7
59	In the lettered subparts this question asks whether and how six different types of information is included in FPL's avoided cost analyses.	6
60	This interrogatory asks for identification of documents supporting each of the response to interrogatory 59.	6
61	This interrogatory asks whether FPL's avoided energy component reflects four different types of information.	4
62	This question asks for documentation as to four aspects of avoided costs.	1
63	This question has 4 lettered subparts.	4
64	This interrogatory asks for a detailed description of each of the four estimates asked for in Interrogatory 63 were developed.	4
65	This interrogatory has three subparts.	3
66	This interrogatory asks for documentation as to four aspects of avoided costs.	4
67	This interrogatory asks for identification of documents supporting each of the four answers to Interrogatory 66.	4
68	This interrogatory has three subparts.	3
69	This interrogatory has four subparts.	4
70		1

71	This interrogatory asks for T&D additions and retirements by FERC account by year for 13 years.	13
72	This interrogatory asks for T&D expenses by FERC account by year for 13 years.	13
73	This Interrogatory poses two separate questions.	2
74		1
75		1
76	This interrogatory poses two separate questions.	2
77		1
78	This interrogatory poses at least two questions.	2
79	This Interrogatory requires FPL to identify three separate types of documents.	3
Total		650

### LEAF's Third Set of Interrogatories

<u>Interrogatory Number</u>	<u>Explanation of Multiple Questions</u>	<u>Questions Posed</u>
80	This interrogatory asks three questions regarding determination made by the Prehearing Officer: (a) each determination, (b) a detailed description of the Company's understanding of each determination, and (c) identification of supporting documents.	3
81	The interrogatory asks two questions regarding LEAF's supplemental measures: (a) the Company's understanding, and (b) how LEAF's measures were treated.	2
82		1
83	There are 29 residential measures identified on Document No. 12 to Mr. Brandt's testimony. This interrogatory asks for annual values (20 years were analyzed) for 7 different types of data. This interrogatory requests 4,060 data entries.	203

84	There are 29 residential measures identified on Document No. 12 to Mr. Brandt's testimony. This interrogatory asks for annual values (20 years were analyzed) for 11 different types of data. This interrogatory asks for 6,380 data entries.	319
85	There are six cost and performance categories listed on Dr. Sim's Document No. 13. This interrogatory asks for those same six categories for two different units operating in two different modes. This interrogatory poses 24 separate questions.	24
86	This interrogatory poses at least three separate questions: (a) cost and performance categories, (b) annual avoided energy and capacity costs, and (c) supporting work papers.	3
87	This interrogatory poses at least three separate questions: (a) cost and performance categories, (b) annual avoided energy and capacity costs, and (c) supporting work papers.	3
88		1
Total		559

Total Questions posed by LEAF in first three sets of Interrogatories:		1,219
First Set	10	
Second Set	650	
Third Set	<u>559</u>	
Total	1,219	

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Objections To and Request For Clarification of LEAF's Fourth Request for Production to FPL were served by Hand Delivery (when indicated with an \*) or mailed this 5th day of March, 1999 to the following:

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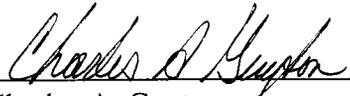
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