

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination)
of Need for an Electrical Power) DOCKET NO. 000442-EI
Plant in Polk County by Calpine)
Construction Finance Company, L.P.) FILED: OCTOBER 20, 2000
_____)

CALPINE CONSTRUCTION FINANCE COMPANY'S OBJECTIONS
TO STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1-31)

Calpine Construction Finance Company, L.P., ("Calpine"), pursuant to the schedule proposed by Calpine in its pending motion for revised procedural schedule filed with the Commission on September 26, 2000, hereby respectfully submits its objections to the Staff of the Florida Public Service Commission's ("Staff") First Set of Interrogatories to Calpine (Nos. 1-31) ("Staff's First Set of Interrogatories") which were served on Calpine on October 13, 2000.

GENERAL OBJECTIONS

Calpine objects to Staff's First Set of Interrogatories on the grounds set forth in paragraphs A and B below. Each of Calpine's responses will be subject to and qualified by these general objections.

A. Calpine 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

DOCUMENT NUMBER-DATE

13461 OCT 20 8

FPSC-RECORDS/REPORTING

later determined to be applicable for any reason. Calpine in no way intends to waive any such privilege or protection.

B. Calpine objects to any interrogatory to the extent that it calls for confidential, proprietary business information and/or the compilation of information that is considered confidential, proprietary business information.

SPECIFIC OBJECTIONS

Calpine makes the following specific objections to Staff's First Set of Interrogatories. Calpine's specific objections are numbered to correspond with the numbering of Staff's interrogatories.

3. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information concerning specific terms of contracts to provide firm capacity from the Osprey Energy Center. Please note that on October 17, 2000, Calpine filed a request for confidential treatment of a Memorandum of Understanding between Calpine and Seminole Electric Cooperative, Inc. (the "Calpine-Seminole MOU") for the sale of firm capacity and energy from the Osprey Energy Center. As part of that confidential filing, Calpine filed an unredacted copy of the Calpine-Seminole MOU with the Commission.

4. Calpine objects to this interrogatory that it seeks confidential, proprietary business information. Any ongoing negotiations that Calpine may have with potential customers will

necessarily include confidential, proprietary information that would be competitively sensitive both to Calpine and to any prospective wholesale customers. Calpine will attempt to respond with non-confidential, non-proprietary information.

8. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

13. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

14. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

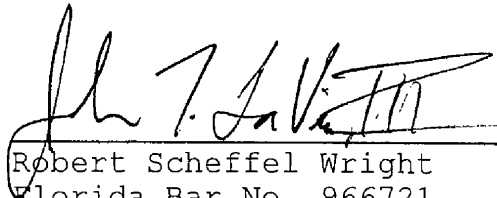
15. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

19. Calpine objects to this interrogatory because it is ambiguous and unclear. It is unclear what is meant by the phrase "the current differential price of oil and natural gas with coal". Calpine will attempt to clarify the meaning of this phrase with Staff before it responds to the interrogatory.

28. Calpine objects to this interrogatory to the extent that it seeks either Calpine's or Tampa Electric Company's confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

29. Calpine objects to this interrogatory to the extent that it seeks confidential, proprietary business information. Calpine will attempt to respond with non-confidential, non-proprietary information.

Respectfully submitted this 20th day of October, 2000.



Robert Scheffel Wright
Florida Bar No. 966721
John T. LaVia, III
Florida Bar No. 853666
Diane K. Kiesling
Florida Bar No. 233285
LANDERS & PARSONS, P.A.
310 West College Avenue (32301)
Post Office Box 271
Tallahassee, Florida 32302
Telephone: (850) 681-0311
Telecopier: (850) 224-5595

Attorneys for Calpine Construction
Finance Company, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery (*), facsimile transmission (**), or U.S. Mail, on this 20th day of October, 2000, to the following:

Robert V. Elias, Esq.*
Division of Legal Services
Florida Public Service Comm.
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, FL 32399-0850

Debra Swim, Esq.
LEAF
1114 Thomasville Road
Suite E
Tallahassee, FL 32303

Matthew M. Childs, Esq.*
Charles A. Guyton, Esq.
Steel Hector & Davis, LLP
215 South Monroe Street
Suite 601
Tallahassee, FL 32301
(Florida Power & Light Co.)

William G. Walker, III
Vice President
Regulatory Affairs
Florida Power & Light Company
9250 West Flagler Street
Miami, FL 33174
(Florida Power & Light Co.)

Gary L. Sasso, Esq.
Jill H. Bowman, Esq.
Carlton Fields
P.O. Box 2861
St. Petersburg, FL 33731
(Florida Power Corporation)

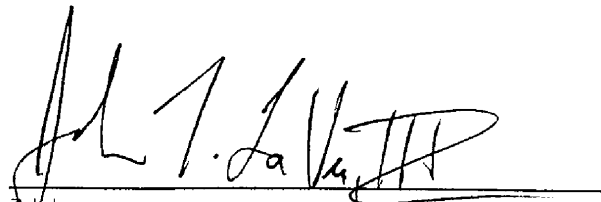
James A. McGee, Esq.
Senior Counsel
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733
(Florida Power Corporation)

Robert W. Pass, Esq.*
Carlton Fields
215 S. Monroe Street
Suite 500
Tallahassee, FL 32301
(Florida Power Corporation)

Scott A. Goorland, Esq.
Department of Environmental
Protection
3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-2400

Mr. Paul Darst
Dept. of Community Affairs
Division of Local Resource
Planning
2740 Centerview Drive
Tallahassee, FL 32399-2100

Jon Moyle, Esq.
Moyle, Flanigan, Katz, Kolins,
Raymond & Sheehan, P.A.
118 N. Gadsden St.
Tallahassee, FL 32301


Attorney