

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of Need for an Electrical Power Plant in Okeechobee County by Okeechobee Generating Company, L.L.C.) DOCKET NO. 99-1462-EU) FILED: November 12, 1999

OKEECHOBEE GENERATING COMPANY'S OBJECTIONS TO FLORIDA POWER & LIGHT COMPANY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-36)

Okeechobee Generating Company, L.L.C. ("OGC"), pursuant to the Order Establishing Procedure, as revised, and the Order Establishing Expedited Discovery Schedule, hereby respectfully submits its objections to Florida Power & Light Company's ("FPL") First Request for Production of Documents (Nos. 1-36) which were served on OGC on November 2, 1999.

GENERAL OBJECTIONS

OGC objects to FPL's First Request for Production of Documents on the grounds set forth in paragraphs A-D below. Each of OGC's responses will be subject to and qualified by these general objections.

A. OGC objects to the time frames for production of documents set forth in FPL's requests. Pursuant to the Order Establishing Expedited Discovery Schedule issued on November 8, 1999, OGC's

responses to FPL's First Request for Production of Documents are due on November 16, 1999.

B. OGC objects to any request for production of documents that calls for documents protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade

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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 requests to produce or is later determined to be applicable for any reason. OGC in no way intends to waive any such privilege or protection.

C. OGC objects to any request that seeks the production of documents containing confidential, proprietary business information and/or the compilation of information that is considered confidential, proprietary business information.

D. OGC objects to any request that requires the production of "all" or "each" document as it cannot give assurances, even after a good faith and reasonably diligent attempt, that "all" or "each" responsive document will be found. Indeed, it may well be impossible to assure compliance with the exercise of reasonable diligence.

SPECIFIC OBJECTIONS

OGC makes the following specific objections to FPL's First Request for Production of Documents. OGC's specific objections are numbered to correspond with the number of FPL's requests.

1. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the extent possible with non-confidential, non-proprietary documents.

2. OGC objects to this request on the grounds that it seeks

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3. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

4. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

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12. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

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15. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

16. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

17. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

18. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

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31. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

32. OGC objects to this request on the grounds that it seeks

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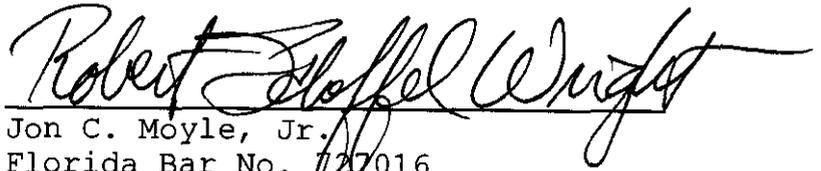
33. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

34. OGC objects to this request on the basis that it seeks documents containing attorney work product. OGC will attempt to respond to this request to the extent possible with documents that do not contain attorney work product.

35. OGC objects to this request on the basis that it seeks documents containing attorney work product. OGC will attempt to respond to this request to the extent possible with documents that do not contain attorney work product.

36. OGC objects to this request on the grounds that it seeks documents containing confidential, proprietary business information. OGC will attempt to respond to the request to the extent possible with non-confidential, non-proprietary documents.

Respectfully submitted this 12th day of November, 1999.



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CERTIFICATE OF SERVICE
DOCKET NO. 991462-EU

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*), facsimile transmission (**), or by United States Mail, postage prepaid, on the following individuals this 12th day of November, 1999.

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