

ORIGINAL

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Subject: Docket 060658-EI - PEF Objections
Attachments: Objections to OPC 9th ROGs.pdf

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Docket: 060658-EI
In re: Petition on behalf of Citizens of the State of Florida to require
Progress Energy Florida, Inc. to refund to customers \$143 million

On behalf of Progress Energy Florida

Consisting of 5 pages.

The attached document for filing is Progress Energy Florida's
Objections to OPC's 9th Set of Interrogatories (Nos. 67-75) (a PDF document)
<<Objections to OPC 9th ROGs.pdf>>

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens of the
State of Florida to require Progress Energy
Florida, Inc. to refund to customers \$143 million

Docket No. 060658-EI

Submitted for Filing: March ²⁶ 2007

**PEF'S OBJECTIONS TO OPC'S NINTH SET OF
INTERROGATORIES (Nos. 67-75)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Fla. R. Civ. P., Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC's") Ninth Set of Interrogatories (Nos. 67-75).

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's Ninth 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 OPC's 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 OPC's definition "(i)" given that it includes "affiliates" in the definitions of "PEF" and "Progress Fuels." 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 OPC that has not been done for PEF, presumably at PEF's cost.

Additionally, PEF generally objects to OPC's 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.

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

SPECIFIC OBJECTIONS

Interrogatory 67: PEF objects to Interrogatory 67 as irrelevant, immaterial and not likely to lead to the discovery of admissible evidence. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 68: PEF objects to Interrogatory 68 as irrelevant, immaterial and not likely to lead to the discovery of admissible evidence. PEF also objects to this interrogatory to the extent that it asks PEF for information of affiliates of PEF, who are not parties to this action or who are not subject to discovery under the applicable rules. Finally, PEF objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 69: PEF objects to Interrogatory 69 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 70: PEF objects to Interrogatory 70 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 71: PEF objects to Interrogatory 71 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

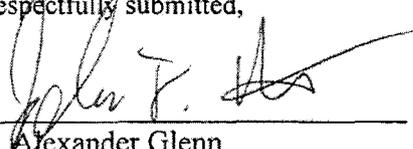
Interrogatory 72: PEF objects to Interrogatory 72 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 73: PEF objects to Interrogatory 73 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

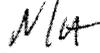
Interrogatory 74: PEF objects to Interrogatory 74 because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Interrogatory 75: PEF objects to Interrogatory 75, in part because the interrogatory is irrelevant, immaterial and not reasonably calculated to lead to admissible evidence in this proceeding. PEF also objects to this interrogatory because it is outside of the discovery deadline established in Commission Order No. PSC-07-0182-PCO-EI.

Respectfully submitted,



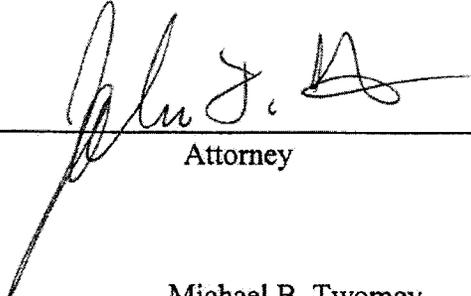
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Objections to Citizens' Eighth Set of Interrogatories (64-66), in Docket No. 060658-EI have been furnished by regular U.S. mail to the following this 21st day of March, 2007.



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