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Sent: Wednesday, April 02, 2008 2:49 PM
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Subject: Docket 080009-EI Filing: PEF Objections to OPC's First Set of Interrogatories
Attachments: Objections to OPC's 1st Interrogs Docket 080009-EI.pdf

This electronic filing is made by:

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Docket 080009-EI

In re: Nuclear Power Plant Cost Recovery Clause

On behalf of Progress Energy Florida

Consisting of 3 pages

The attached document for filing is PEF's Objections to OPC's First Set of Interrogatories (Nos. 1-21)

<<Objections to OPC's 1st Interrogs Docket 080009-EI.pdf>>

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost
Recovery Clause with Generating
Performance Incentive Factor

Docket No. 080009-EI

Submitted for Filing: April 2 2008

**PEF'S OBJECTIONS TO OPC'S FIRST
SET OF INTERROGATORIES (Nos. 1-21)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.340 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC's") First Set of Interrogatories (Nos. 1-21) and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's First 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 "(iii)" given that it includes "affiliates" under the control of Progress Energy Florida, Inc. 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.

DOCUMENT NUMBER-DATE

02554 APR-28

FPSC-COMMISSION CLERK

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.

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.

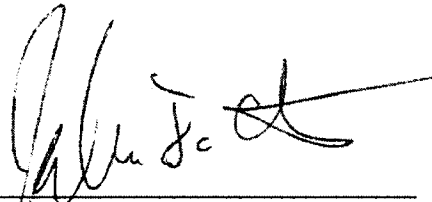
SPECIFIC OBJECTIONS

Interrogatory 3: PEF objects to this interrogatory to the extent that it calls for a legal opinion or legal conclusion.

Interrogatory 4: PEF objects to this interrogatory to the extent that it calls for a legal opinion or legal conclusion.

Interrogatory 13: PEF objects to this interrogatory to the extent that it elicits information regarding generating units other than CR3 that are irrelevant to this proceeding. Subject to the Company's general objections, and without waiving same, PEF will provide an answer if CR3 will be connected to the new cooling tower.

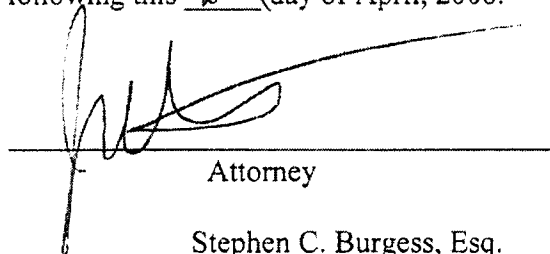
Interrogatory 14: PEF objects to this interrogatory to the extent that it elicits information regarding equipment not impacting CR3 that is irrelevant to this proceeding. Subject to the Company's general objections, and without waiving same, PEF will provide an answer if any such equipment will be used with CR3.



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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 First Set of Interrogatories (Nos. 1-21), in Docket No. 080009-EI has been furnished by regular U.S. mail to the following this 2nd day of April, 2008.



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