

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need
for Levy Units 1 and 2 nuclear power plants,
by Progress Energy Florida, Inc.

Docket No. 080148-EI

Submitted for Filing: April 10, 2008

**PROGRESS ENERGY FLORIDA'S OBJECTIONS TO
WHITE SPRINGS AGRICULTURAL CHEMICALS, INC. d/b/a PCS PHOSPHATE –
WHITE SPRINGS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1-7)**

Pursuant to Fla. Admin. Code R. 28-106.206 and Rule 1.350 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs' ("White Springs") First Request for Production of Documents to PEF (Nos. 1-7), as follows:

GENERAL OBJECTIONS

PEF generally objects to the time and place of production requirement in White Springs' First Request for Production of Documents and will make all responsive documents available for inspection and copying at the offices of Progress Energy Florida, Inc., 106 E. College Ave., Tallahassee, Florida, 32301 at a mutually-convenient time, or will produce the documents in some other manner or at some other place that is mutually convenient to both PEF and White Springs for purposes of inspection, copying, or handling of the responsive documents.

PEF objects to any instructions that are inconsistent with PEF's discovery obligations under applicable rules. PEF will comply with applicable rules and not with any of White Springs' instructions that are inconsistent with those rules.

Additionally, PEF generally objects to White Springs' requests to the extent that they call for documents protected by the attorney-client privilege, the work product

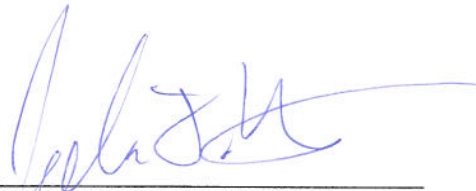
doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law. PEF will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any document request calls for the production of privileged or protected documents.

Further, in certain circumstances, PEF may determine upon investigation and analysis that documents responsive to certain requests to which objections are not otherwise asserted are confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such a request, PEF is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement, protective order, or the procedures otherwise provided by law or in the Order Establishing Procedure. PEF hereby asserts its right to require such protection of any and all information that may qualify for protection under the Florida Rules of Civil Procedure, the Order Establishing Procedure, and all other applicable statutes, rules, and legal principles.

PEF generally objects to White Springs' First Request for Production of Documents to the extent that it calls for the production of "all" documents of any nature, including, every copy of every document responsive to the requests. PEF will make a good faith, reasonably diligent attempt to identify and obtain responsive documents when no objection has been asserted to the production of such documents, but it is not practicable or even possible to identify, obtain, and produce "all" documents. In addition, PEF reserves the right to supplement any of its responses to White Springs' requests for production if PEF cannot produce documents immediately due to their magnitude and the work required to aggregate them, or if PEF later discovers additional responsive documents in the course of this proceeding.

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 White Springs that has not been done for PEF, presumably at PEF's cost.

By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to White Springs' discovery at the time PEF's response is due under the Florida Rules of Civil Procedure. PEF provides these general objections at this time to comply with the intent to reduce the delay in identifying and resolving any potential discovery disputes.



R. ALEXANDER GLENN

General Counsel - Florida

JOHN T. BURNETT

Associate General Counsel – Florida

PROGRESS ENERGY SERVICE COMPANY, LLC

299 First Avenue North


St. Petersburg, FL 33701

Telephone: (727) 820-5184

Facsimile: (727) 820-5519

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic and U.S. Mail this 10th day of April, 2008.



JOHN T. BURNETT

Katherine Fleming, Esq.
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

James W. Brew
Brickfield, Burchette, Ritts & Stone, P.C.
1025 Thomas Jefferson Street, NW
Eighth Floor, West Tower
Washington, DC 20007-5201

Charles Gauthier
Dept. of Community Affairs
Division of Community Planning
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100

Stephen C. Burgess, Esq.
J. R. Kelly, Esq.
Office of Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399

Karin S. Torain
PCS Administration (USA), Inc.
Skokie Boulevard, Suite 400
Northbrook IL 60062

Michael P. Halpin
Dept. of Environmental Protection
Siting Coordination Office
2500 Blairstone Road, MS 48
Tallahassee, FL 32301