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Subject: Filing: Docket No. 120009-EI

Attachments: PEF's Objections to Staff's First Set of Interrogatories (Nos. 1-27).pdf

Docket No. 120009-EI

In re: Nuclear Cost Recovery Clause

Attached for filing on behalf of Progress Energy Florida, Inc. is the following document:

1. Progress Energy Florida, Inc.'s Objections to Staff's First Set of Interrogatories (Nos. 1-27) [5 pages].

Thank you,



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FPSC-COMMISSION CLERK

7/2/2012

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Nuclear Cost Recovery
Clause

Docket No. 120009-EI
Submitted for filing: July 2, 2012

**PROGRESS ENERGY FLORIDA, INC.'S OBJECTIONS TO
STAFF'S FIRST SET OF INTERROGATORIES (NOS. 1-27)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rules 1.340 and 1.350 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure, Order No. PSC-11-0179-PCO-EI, issued March 29, 2011 (the "Order"), in this matter, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to Florida Public Service Commission ("Commission") Staff's First Set of Interrogatories (Nos. 1-27) and states as follows:

INTRODUCTION

If any interrogatory is to be answered through production of documents pursuant to Florida Rule of Civil Procedure 1.340(c), PEF will make any and all responsive documents available for inspection and copying at the offices of PEF, 106 E. College Ave., Suite 800, 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 Staff for purposes of inspection, copying, or handling of the responsive documents.

Additionally, PEF will not provide information or 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 in response to these interrogatories. 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 interrogatory calls for the production of privileged or protected information or documents.

OBJECTIONS

Interrogatory No. 15: PEF objects to the second half of interrogatory number 15 because this interrogatory requests PEF to perform the feasibility analysis in a specific manner to produce information in a specific format that PEF did not employ for the CR3 Uprate project. As Mr. Franke explained in his testimony at the referenced page in interrogatory number 15, PEF performed the CR3 Uprate feasibility analysis in a manner consistent with the Company's feasibility analysis for the Levy Nuclear Project, but not exactly the same feasibility analysis given differences between the two projects, for example and most notably, the different time frames for the development, construction, and operation of the two separate projects. Accordingly, PEF will provide as much of the analysis in the format requested as PEF can based on the existing feasibility analysis that PEF performed for the CR3 Uprate project.

Interrogatory No. 17: PEF objects to the second half of interrogatory number 17 because this interrogatory requests PEF to perform the feasibility analysis in a specific manner to produce information in a specific format that PEF did not employ for the CR3 Uprate project. As Mr. Franke explained in his testimony at the referenced page in interrogatory number 17, PEF performed the CR3 Uprate feasibility analysis in a manner consistent with the Company's feasibility analysis for the Levy Nuclear Project, but not exactly the same feasibility analysis given differences between the two projects, for example and most notably, the different time frames for the development, construction, and operation of the two separate projects. To be specific, PEF did not employ low and high fuel forecasts in its CR3 Uprate feasibility analysis, but instead used its mid fuel or base fuel forecast in the CR3 Uprate feasibility analysis.

Accordingly, PEF will provide as much of the analysis in the format requested as PEF can based on the existing feasibility analysis that PEF performed for the CR3 Uprate project.

Interrogatory No. 21: PEF objects to interrogatory number 21 because it calls for an answer based on an improper legal conclusion that improperly calls for speculation or conjecture to provide a response. PEF is not required to provide an answer based on what circumstances might exist if the law is different from what it actually is.

Respectfully submitted this 2nd day of July, 2012.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY 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 2nd day of July, 2012.

s/ Blaise N. Gamba

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