

**Steel Hector & Davis**

Tallahassee, Florida

Matthew M. Childs, P.A.  
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*Joe*

ORIGINAL  
FILE COPY

February 10, 1995

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, FL 32399

**RE: DOCKET NO. 950001-EI**

Dear Ms. Bayo:

Enclosed for filing please find an original and fifteen (15) copies of Florida Power & Light Company's Objections to Florida Steel Corporation's Second Request for Production of Documents to Florida Power & Light Company (Nos 11-13).

Very truly yours,

Matthew M. Childs, P.A.

- ACK
- AFS
- APP \_\_\_\_\_
- CAT \_\_\_\_\_
- CC: MME/ml
- CC: *cc: All Parties of Record*
- CC: *1*
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- CC: \_\_\_\_\_
- CC: *1*
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EPSC-RECORDS/REPORTING

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Investigation of Fuel Cost)  
Recovery Clauses of Electric ) DOCKET NO. 950001-EI  
Companies ) FILED: FEBRUARY 10, 1995  
\_\_\_\_\_)

FLORIDA POWER & LIGHT COMPANY'S  
OBJECTIONS TO FLORIDA STEEL CORPORATION'S  
SECOND REQUEST FOR PRODUCTION  
OF DOCUMENTS OF FLORIDA POWER &  
LIGHT COMPANY (NOS. 11-13)

Florida Power & Light Company ("FPL"), pursuant to Rule 25-22.034, Florida Administrative Code, hereby files these objections to Florida Steel Corporation's ("Florida Steel") "Second Request for Production to Florida Power & Light Company (NOS. 11-13)" ("Second Request for Production") and states:

**General Objection to Instructions and Definitions**

In the section of its First Request for Production entitled "Instructions," Florida Steel provides directions on various topics and definitions of various words, many, if not all, of which are governed by the Rules of the Commission, the Commission's Order Establishing Procedure, the Florida Rules of Civil Procedure,

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Florida Statutes, and Florida common law. FPL intends to respond to these requests for production as it understands its duty under law, notwithstanding any Instruction or Definition by Florida Steel to the contrary. To the extent that Florida Steel's Instructions and Definitions alter or expand such duty, FPL objects.

#### **Objection to Instruction 1**

In paragraph 1 of the section of its First Request for Production entitled "Instructions," Florida Steel states:

If any document is withheld under any claim of privilege, please furnish a list identifying each document for which privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document and basis upon which such privilege is claimed.

FPL objects to Instruction 1. FPL claims and does not waive the fullest protection of the attorney-client privilege, the work-product doctrine, and all other applicable privileges and exemptions from disclosure. FPL intends to undertake all steps necessary to protect its privileged communications as required by the Rules of the Commission, the Florida Rules of Civil Procedure and Florida law.

OBJECTIONS TO "DOCUMENTS REQUESTED"

**Objection to Request 11**

In paragraph 11 of the section of its Second Request for Production entitled "Documents Requested," Florida Steel states:

"Please provide a copy of FPL's December 31, 1994, or latest available, *Earnings Surveillance Report Summary* including all supporting schedules and a copy of all supporting workpapers.

FPL objects to Request 11. Request 11 seeks information wholly beyond the scope of the issues properly raised and before the Commission in this Docket. Therefore the request is outside the subject matter of this Docket and is not reasonably calculated to lead to the discovery of admissible evidence.

**Objection to Request 12**

In paragraph 12 of the section of its Second Request for Production entitled "Documents Requested," Florida Steel states:

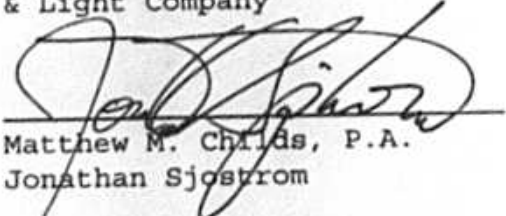
"Please provide a copy of FP&L's latest revenue and expense forecast for 1995."

subject matter of this Docket and is not reasonably calculated to lead to the discovery of admissible evidence.

DATED this 10th day of February, 1995.

Respectfully submitted,

STEEL HECTOR & DAVIS  
215 South Monroe Street  
Suite 601  
Tallahassee, FL 32301-1804  
Attorneys for Florida Power  
& Light Company



Matthew M. Childs, P.A.  
Jonathan Sjoström

**CERTIFICATE OF SERVICE  
DOCKET NO. 950001-EI**

**I HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Objections to Florida Steel Corporation's Second Request for Production of Documents to Florida Power & Light Company (Nos. 11-13) have been furnished by Hand Delivery\*\* or U.S. Mail this 10th day of February, 1995, to the following:

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