

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket No. 50-389A
(St. Lucie Plant, Unit No. 2))

APPLICANT'S INTERROGATORIES TO INTERVENORS FLORIDA CITIES
AND REQUESTS FOR PRODUCTION OF DOCUMENTS

PREFACE

Pursuant to Sections 2.740b and 2.741 of the Commission's Rules of Practice, Florida Power & Light Company, the Applicant herein, propounds the following Interrogatories and Requests for Production of Documents to Intervenors Florida Cities. Each interrogatory should be answered separately and fully in writing under oath or affirmation by the person or persons making them, and each document requested should be produced, as promptly as possible, but in any event within the time prescribed in 10 CFR §2.741(d), or such other time as may be fixed by the Atomic Safety and Licensing Board.

Definitions

As used herein the terms listed below are, unless otherwise specifically indicated, intended to have the following meanings:

1. "Antitrust laws" refers to all of the laws enumerated in §105 of the Atomic Energy Act, as amended, 42 U.S.C. §2135.
2. "Applicant" refers to Florida Power & Light Company and all officials, officers, employees, attorneys, contractors,

agents, representatives and consultants thereof.

3. "City" or "Cities" refers to each and every of the entities listed in the Joint Petition (including the Florida Municipal Utilities Association, "FMUA") including in each instance, all officials, officers, employees, attorneys, contractors, agents, representatives and consultants of such entity. In each instance where an entity is identified as a "commission" or "authority" of a county or municipality, "city" includes all other commissions, authorities, agencies and departments of such county or municipality, such as, by way of example and not limitation, the city commission and government of a municipality represented herein by a utility authority or commission.

4. "Customer" refers to any person or entity receiving electric service from the Cities (including any department, unit, agency or other division of the municipality and the municipality itself) or any other utility.

5. "Date" refers to the exact day, month and year, if known, or, if not known, the best approximation thereof. Exact dates shall be given in all answers except where it is explicitly indicated that an approximate date will suffice.

6. "Documents" refers to all writings and records of every type in the position, control or custody of the Cities, including but not limited to memoranda, correspondence, reports (including drafts, preliminary, intermediate and final reports), surveys, studies (including, but not limited to, load flow, engineering, general economics and market studies), comparisons, tabulations,

charts, books, pamphlets, photographs, maps, bulletins, minutes, notes, diaries, log sheets, ledgers, transcripts, microfilm, computer data files, tapes, inputs, outputs and printouts, vouchers, accounting statements, engineering diagrams ("one-line" diagrams), mechanical and electrical recordings, telephone and telegraphic communication, speeches, and all other records, written, electrical, mechanical or otherwise.

"Documents" shall also refer to copies of documents, even though the originals thereof are not in the possession, custody or control of the Cities, every copy of a document which contains handwritten or other notations or which otherwise does not duplicate the original or any other copy, and all attachments to any document.

7. "FMUA" refers to the Florida Municipal Utilities Association.

8. Identification of a document includes stating (a) the nature of the document (e.g. letter, memorandum, corporate minutes), (b) the date, if any, appearing thereon, (c) the date, if known, on which the document was prepared, (d) the title of the document, (e) the general subject matter of the document, (f) the number of pages comprising the document, (g) the identity of each person who wrote, dictated, or otherwise participated in the preparation of the document, (h) the identity of each person who signed or initialed the document, (i) the identity of each person to whom the document was addressed, (j) the identity of each person who received the document or reviewed it, (k) the location of the document, and (l) the identity of each person having custody of the document. Identification of a document includes identifying

all documents known or believed to exist, whether or not in your custody or in the custody of your attorneys.

9. Identification of a person includes stating his or her full name, his or her most recent known home address and telephone number, his or her most recent known business address and telephone number, his or her present position, and his or her prior connection or association with any party to this proceeding.

10. "Identify" when used in reference to an expert shall mean to state (a) the information described in the preceding paragraph (numbered 9), (b) the qualifications and credentials of such person, (c) whether such person is expected to be or may be called as an expert witness at the evidentiary hearing, (d) the subject matter on which the expert is expected to testify, (e) the substance of facts and opinions to which the expert is expected to testify, and (f) a summary of the grounds for each opinion; and to identify and provide a copy of all documents consulted or relied upon by such expert in the preparation of oral or written testimony in this proceeding.

10.A. "Joint Petition" means the "Joint Petition of Florida Cities for Leave to Intervene Out of Time; Petition to Intervene; and Request for Hearing," dated August 6, 1976.

11. "Market" refers to all relevant markets and submarkets.

12. The words "electric utility" and "utility" mean any private corporation, cooperative corporation, municipality, or any political subdivision, agency or instrumentality of the Federal or any state or municipal government which owns or controls facilities for the generation, transmission or distribution of

electric power and energy, or which in the past has done so, or which proposes to do so in the future.

13. "Person" refers to, without limiting the generality of its meaning, every natural person, corporate entity, partnership, association, joint venture, cooperative, municipality, commission, governmental body, or agency.

14. The word "policy" means each rule, procedure or directive, formal or informal, written or unwritten, and each common understanding or course of conduct which was recognized as such by your present and former officers, agents, employees or other persons acting or purporting to act on your behalf, which was in effect at any time during the relevant period.

15. "System" or "the system" (used interchangeably with "City") means the entity to which these discovery requests are directed.

General Instructions

The following General Instructions apply to each of the discovery requests contained herein.

1. Unless otherwise specifically stated, each City is to respond to each discovery request. Where several or all Cities have an identical response to a discovery requests herein, a collective response may be made, provided it is accompanied by an oath or affirmation of an authorized representative of each City participating in the collective response.

2. Unless otherwise indicated, the documents for which production is sought shall include all documents dated, prepared, sent or received during the period January 1, 1950 to date (the "designated period.")

3. It is requested that the following information be set forth separately in the response to each of the interrogatories which follow: (a) identification of each person capable of furnishing testimony concerning the response given to each interrogatory, (b) identification of the person or persons who prepared the response to each interrogatory and all of its subparts, denoting separately those individuals who provided documentary or data input and those who assisted in drafting the interrogatory response.

4. When an interrogatory calls for the "basis" for a statement, in addition to your general response, state (a) where, when and from whom you or your counsel learned the information supporting the allegation, (b) whether such information was oral or in writing, (c) the identity of each document, person, and communication which relates to such information, and (d) the identity of each statute, regulation and/or each decision of law on which you rely for the statement.

5. Where an interrogatory is answerable in whole or in part by reference to an answer to a preceding or subsequent interrogatory, it is sufficient to so indicate by referring to the answer to the preceding or subsequent interrogatory by number, and specifying whether it is claimed that the answer to the preceding or subsequent interrogatory provides a full or partial answer. If the latter, the answer to the interrogatory must be completed.

6. As to those interrogatories consisting of a number of related parts or portions, a complete answer is required to each such part or portion with the same effect as if it were propounded

as a separate interrogatory. Should objection to an interrogatory be interposed, it should indicate to which part or portion of the interrogatory it is directed.

7. For each document identified in a response which is computer generated, state separately (a) what types of data files or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (punch cards, tapes, etc.), (c) a description of the recordation system employed (including program descriptions, flow charts, etc.), (d) the identity of the person or persons presently or formerly in charge of the collection of input materials, the processing of input materials, the data bases utilized, and/or the programming to obtain such output.

8. Answers to interrogatories referring to documents shall include all documents relating to the time period specified in each of said interrogatories, whether prepared before, during or after said period.

9. In all cases where data are requested for past years, provide whatever information is available for 1978.

10. In all cases where data are requested by years, indicate whether the information is provided on a calendar or fiscal year basis. Such basis shall be the usual accounting period used by the utility. If data are provided on a fiscal year basis, state the dates on which each fiscal year began and ended.

11. If you claim privilege as to any communication as to which information is requested by these interrogatories or as to any answer requested by these interrogatories, specify the privilege

claimed, the communication and/or answer as to which that claim is made, the topic discussed in the communication, and the basis on which you assert that claim.

12. In the event any document requested in these interrogatories is unavailable, describe in detail the reasons therefor.

13. These interrogatories are continuing interrogatories and require supplemental answers if you obtain further information with respect to the same between the time your answers are served and the time of the evidentiary hearing.

Interrogatories

1. State separately the name of any of your governing bodies, divisions, departments, units or other organization or corporate subdivisions engaged or concerned in any way with the generation, transmission, distribution, purchase and sale of electric power, including but not limited to those participating in the decision, study, evaluation and recommendation as to each of the following activities: (a) purchase of electric power, (b) acquisition of generating facilities or capacity, (c) construction of generating facilities (d) operation of generating facilities, (e) acquisition of transmission facilities, (f) construction of transmission facilities, (g) operation of transmission facilities, (h) acquisition of distribution facilities, (i) construction of distribution facilities, (j) operation of distribution facilities, (k) maintenance of all generating, transmission and distribution facilities, (l) procurement of fuel for all generating facilities, (m) application for rate changes, (n) timing and amount of requested rate changes,

(o) withholding or commencing purchase agreements with other organizations or corporations.

2. Provide an organization chart or a narrative statement that describes the activities of each governing body, division, department, unit or other subdivision identified in Interrogatory 1.

3. With regard to each governing body, division, department, unit or other subdivision identified in answer to Interrogatory 1, identify each and all persons in charge and all persons with substantial responsibility therein.

4. State separately the name of each of your governing bodies, divisions, departments, units or other subdivisions engaged in any way in the borrowing of money and the providing of financial support to others.

5. Provide an organization chart or a narrative statement that describes the activities of each governing body, division, department, unit or other subdivision identified in Interrogatory 4.

6. With regard to each governing body, division, department, unit or other subdivision identified in answer to Interrogatory 4 identify each and all persons in charge and all persons with substantial responsibility therein.

7. For each activity described in answer to Interrogatories 1 through 6, set forth in a narrative form and by organization chart the decision-making chain of command and identify the person or persons holding these positions on (a) a divisional, departmental, unit or other subdivision basis, and (b) an overall basis.

8. Provide copies of each of your (a) organization charts,

manuals or diagrams, (b) job description manuals, charts or diagrams, (c) personnel organizational manuals, charts or diagrams, (d) systems or procedural manuals, charts or diagrams, (e) manuals and other documents describing your accounting system.

9. Provide the citation to and a copy of any law, provision, regulation, rule, order or other limitation which you contend restricts now, or at any time during the designated period restricted, in any way the authority of the system to (a) construct system facilities for the generation or transmission of electricity outside its service area, (b) construct system facilities for the sale of electricity outside of its service area, (c) share the ownership of electric facilities with any other utility or entity, (d) interconnect with any other utility or entity, (e) coordinate or integrate in any other way with any other utility or entity, (f) engage in or join any electric, power, energy or similar association, (g) become jointly liable with other entities on contractual obligations, (h) enter into contracts for the purchase of power or for purchase of the output of a generating facility or facilities. As to any law, provision, regulation, rule, order, or other limitation which you contend restricted the authority of the system to perform any of the foregoing (a-h) acts, provide the citation to and a copy of any law, etc., which removes such restriction, or any part of such restriction.

10. (a) Provide a copy of the City's charter, and any other document, statute or provision which evidences the City's right to organize and operate an electric system, together with any rules, regulations, bylaws or other similar directives promulgated by the system or any other entity which governs its organization

and operations. (b) Provide a copy of any amendment to or suspension or repealer of the aforesaid documents adopted, or in effect during the designated period.

11. (a) State whether any municipality in which the City serves has or has had at any time during the designated period an ordinance or other statute, regulation, rule, policy or order requiring that any person or class of persons inside or outside the corporate limits purchase electricity from the system. (b) If so, provide a copy of each such ordinance or other statute, regulation, rule, policy or order, and state the time period in which each was effective.

12. (a) Has the City or any official thereof been a member of any electric, power, energy or similar association or organization during the designated period? (b) If so, provide the name and address of each such association or organization and state the year in which the system first became a member of each, and (c) state the (1) name and address of any system or municipal employee who is or has been an officer or director of each such association or organization during the designated period, (2) the title of the position held, (3) the period of time during which such office or directorship was held, and (4) the present position of the employee in the system or the municipality, or if not now employed by the system, the date on which such employment terminated and the reason therefor.

13. (a) Is the City now, or has it been at any time during the designated period, a member of any bulk power supply coordinating group, or any group which is intended to act for member cities to plan,

finance, acquire, construct, purchase, operate, maintain, use, share cost of, own, lease, sell or dispose of any electric power supply project within or without Florida. If so, (1) state the name by which the group is known, (2) name the other members of the group, (3) indicate the particular coordinating functions of each group, and (4) describe any rules, regulations or policies of the group relating to the exclusion of particular electric utilities or classes of such utilities from such groups, including but not limited to communications with other electric utilities with respect to actions, joint or several, to prevent admission of such electric utilities. (b) Provide copies of all documents relating to the answer to this interrogatory.

14. (a) Describe in detail the formation of FMUA. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

15. (a) Identify each person or entity who participated in any way in the formation of FMUA. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

16. (a) Describe in detail the purpose or purposes for which FMUA was formed. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

17. Provide a copy of each document concerning the consideration and negotiations leading to FMUA's formation, including, where

applicable; documents relating to the time prior to the designated period.

18. Provide a copy of each document concerning the actual formation of FMUA, including but not limited to copies of FMUA's original articles of incorporation and bylaws, and all amendments thereto now in effect or in effect at any time since the organization of FMUA. Where applicable, include documents relating to the time prior to the designated period.

19. (a) Identify all current and past members of FMUA from the date of FMUA's formation to the present. (b) As to each present or past member, state the date membership commenced and, if appropriate, the date of termination as to each such member.

20. (a) As to any past member of FMUA, describe in detail why such membership was terminated, and by whom the decision to terminate was made. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

21. (a) Describe in detail all criteria, qualifications and requirements for membership in FMUA as those criteria existed at FMUA's inception and as they exist at the present time. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

22. (a) Describe in detail all information which must be submitted to FMUA by each applicant for membership therein as required at FMUA's inception and as required at the present time. Include any information concerning generation facilities, transmission facilities, retail distribution, wholesale suppliers and financial

status which was or is required to be submitted. (b) Provide copies of all documents relating to the answer to this interrogatory, including, where applicable, documents relating to the time prior to the designated period.

22A. (a) Describe in detail the formation of the Florida Municipal Power Association (FMPA). (b) Explain the purpose or purposes for which FMPA was formed. (c) Describe in detail all actions, including planning, taken or considered by FMPA which relate to power supply or to coordination of any kind among electric systems. (d) Provide all documents which relate to FMPA, including reports from consultants, planning and feasibility studies (and drafts and work papers associated with such) and all documents which relate to the City's participation or non-participation in FMPA's activities.

23. Provide copies of any manuals, indices or other documents which describe your filing system or documents retention policy. Provide the same with respect to the filing system or documents retention policy of each of your divisions, departments, units or other subdivisions if different from that provided in your response to the first part of this interrogatory.

24. What is your policy with respect to length of retention of documents? If such policy is different with respect to certain categories or types of documents, state your policy with respect to each such category or type.

25. In anticipation of or during the course of this proceeding, or in any prior proceeding, either before the NRC or the FERC in which FPL was a party, have you, including counsel, caused any document to be (a) destroyed (b) mutilated (c) altered (d) changed (e) marked

(f) segregated or (g) secreted?

26. If your answer to subsections (a), (b), (c), (d), or (g) of Interrogatory 25 is affirmative, identify each document, state the action taken with respect thereto, and for each such document state (a) what criteria were applied to determine the action taken, (b) the identity of each individual who determined what action to take, indicating each individual separately for each document, (c) the identity of each individual who authorized the action taken, indicating each individual separately for each document, (d) the identity of each individual who acted on the document, (e) the substance and content of each document, (f) whether any duplicate(s) of the document exists, and if so, the identity of (1) any such duplicate(s), (2) any individual having custody over such duplicate(s), indicating separately the custodian of each duplicate, (g) whether any summary or synopsis of each document was prepared, and if so, the identity of (1) each summary or synopsis, and its author, (2) each individual having custody over each such summary or synopsis, indicating separately the author and/or custodian of each summary or synopsis, (h) whether any written report recommending destruction, mutilation, alteration, change or secreting of any document was prepared, and if so, the identity of (1) each such report and its author, (2) each individual having custody of such report, indicating separately the author and/or custodian of each report, (i) whether any written document was prepared authorizing destruction, mutilation, alteration, change or secreting of any document, and if so, the identity of (1) each such authorization and its author, (2) each

individual having custody over such authorization, indicating separately the author and/or custodian of each authorization, (j) whether any oral report recommending destruction, mutilation, alteration, change or secreting of any document was given, and indicating separately for each such oral report (1) the date and location, (2) the participants in the oral conversation, (3) the substance thereof, (4) the identity of any written memorandum or notation recording, referring to or reflecting each such oral report, (k) whether any oral authorization to destroy, mutilate, alter, change or secrete any document was given, and indicating separately for each such oral authorization, (1) the date and location (2) the participants in the oral conversation, (3) the substance thereof, and (4) the identity of any written memorandum or notation recording, referring to or reflecting each such oral authorization.

27. If your answer to subsections (e) or (f) of Interrogatory 25 is affirmative, identify each document and state (a) whether a copy of the document marked or segregated was returned to the original file from which it was taken, (b) whether a copy of the document affected will be returned to the original file from which it was taken, ~~(b) whether a copy of the document affected will be returned to the file from which it was removed,~~ (c) the identity of the individual marking or segregating the document.

28. Identify each person interviewed by you or your counsel for the purpose of ascertaining facts relating to the Joint Petition.

29. For each year of the designated period, provide copies of all financial, statistical or operating reports or statements

submitted to the Federal Power Commission (including any successor agencies such as the Federal Energy Regulatory Commission or the Department of Energy), the Florida Public Service Commission, the American Public Power Association, the FMUA, the Florida Municipal Power Agency, any state or local governing authority or official, or any group or association of electric utilities.

30. For each year of the designated period, provide copies of all public reports, writings or notices or any type reflecting the financial condition of the system.

31. If known to the system but not shown in the documents produced in response to Interrogatories 29 and 30¹, state the following information for each year 1970 to date:

- (a) total electric operating revenues,
- (b) total electric operating expenses,
- (c) total electric plant in service, accumulated provision for depreciation of electric utility plant and net electric utility plant,
- (d) total production plant in service, accumulated provision for depreciation of production plant and net production plant,
- (e) total transmission plant in service, accumulated provision for depreciation of transmission plant and net transmission plant,
- (f) total distribution plant in service, accumulated provision for depreciation of distribution plant and net distribution plant,
- (g) total general plant in service, accumulated provision for depreciation of general plant and net general plant,

(h) total outstanding long-term debt attributable to electric utility operations,

(i) total outstanding short-term debt attributable to electric utility operations.

(j) total interest paid separately on long-term and short-term debt attributable to electric utility operations,

(k) interest rate on the most recent bond issue floated for electric utility purposes,

(l) most recent credit rating applicable to debt instruments of the system,

(m) total amount of construction work in progress,

(n) total amount of customer contributions in aid of electric plant construction,

(o) total customer accounts expenses applicable to electric operations,

(p) total administrative and general expenses associated with electric operations,

(q) total distribution operation and maintenance expenses,

(r) total transmission operation and maintenance expenses,

(s) total production operation and maintenance expenses,

(t) total depreciation and amortization expenses,

(u) total amount of taxes paid which are applicable to electric operations (include all disbursements in lieu of taxes),

(v) separately, the amount of each type (of taxes or disbursements in lieu of taxes) paid and to what agency or entity paid,

(w) total amount of funds transferred by the system to the general fund or other account of the municipality or to the account

of any other municipal department or agency,

(x) description of, as well as the cost and estimated value of, any services provided free or below cost to the municipality or any of its agencies or departments,

(y) all sources of funds used to finance construction, operation and maintenance of the system other than revenues from sales of electricity and long-term and short-term debt,

(z) total amount of the City's equity in the system,

(aa) limitation on bonded indebtedness.

32. For each year of the designated period, furnish copies of all operating, load or capacity reports or statements submitted to the Federal Power Commission (including any successor agency such as Federal Energy Regulatory Commission or the Department of Energy), the Florida Public Service Commission, the American Public Power Association, the FMUA, the Florida Municipal Power Agency, any state or local governing authority or official, or any group or association of electric utilities.

33. For each year of the designated period, furnish copies of all public reports, writings or notices of any type containing operating, load or capacity statistics for the system.

34. If known to the system but not shown in the documents produced in response to Interrogatories 32 and 33, state the following information for each year from 1970 to date:

(a) by customer class (e.g., residential, commercial, industrial, street lighting, wholesale, other-specify), the total kilowatt-hours consumed, total revenues produced, number of customers, annual class peak demand, and time of annual class peak demand,

(b) separately, the number of pole miles and circuit miles of transmission facilities by voltage,

(c) separately, the number of pole miles and circuit miles of overhead and underground distribution facilities,

(d) the annual load factor (for each year of the designated period and as projected for each of the next 15 years),

(e) the installed, operating and spinning reserve criteria and the method used to determine such reserve criteria (for each year of the designated period and for each of the next 15 years),

(f) for each generating unit in service at any time during the period 1965 to date, for each such year:

(1) energy production, broken down by month (where more than one type or grade of fuel was used during a year, show energy production related to each type or grade of fuel),

(2) one hour and thirty days continuous capability (in kilowatts) achieved during each such year,

(3) type(s) of fuel consumed, including grade of fuel,

(4) quantity, in barrels or Mcfs and in Btu's of each type or grade of fuel consumed,

(5) fuel cost of each type or grade of fuel in cents/mm Btus and mill/Kwh,

(6) thermal efficiency (heat rate) for that year (including seasonal variation),

(7) fixed and variable generating and maintenance costs, and

(8) capacity and availability factors.

(g) as to each generating unit owned, purchased, constructed, under construction or operated by the City at any time during the designated period, state:

(1) the total capital cost of the plant, showing separately its original cost and the cost of all capital additions, betterments, repairs and replacements,

(2) year of installation,

(3) nameplate capacity, and

(4) fuel for which the unit was designed, and whether any modifications have been made regarding alternative sources of fuel,

(h) for each source of electric energy utilized by the system, state or provide

(1) the kilowatt-hours obtained from each such source

(2) the maximum kilowatt demand placed on each such source,

(3) the cost of electricity obtained from each such source, in total dollars and mills per kilowatt-hour,

(4) in each case where electric energy was not system-generated, specify any breakdown between capacity, demand, energy or other charge incurred and indicate the voltage at which each supply was received,

(5) all documents relating to the terms and conditions under which power is, was, or will be at any time during the designated period supplied to the system by each

such source.

35. (a) At any time during the designated period, has the system had any study, report, analysis or other document prepared by or for it or in its possession regarding (1) the feasibility or desirability of constructing generating facilities, alone or jointly with one or more other electric utilities, (2) the feasibility or desirability of constructing transmission facilities, alone or jointly with one or more electric utilities, (3) the feasibility or desirability of purchasing wholesale power, (4) the feasibility or desirability of establishing an interconnection, or modifying existing interconnection arrangements, (5) the feasibility or desirability of engaging in the purchase, sale or exchange of bulk power form, to or with an electric utility, (6) the feasibility or desirability of joint planning, development, ownership or use of any electric generation or transmission facility, (7) the feasibility or desirability of receiving transmission, delivery, displacement or wheeling services from any electric utility, (8) the feasibility or desirability of formation of or participation in a power pool or similar coordination arrangement. (b) If so, provide copies of all such studies, reports, analyses, and other documents and of all documents (e.g., work papers, correspondence, drafts) related thereto.

36. (a) Describe any present effort being made by or for the City relating to the preparation of any study, report analysis or other document described in Interrogatory 35. (b) Provide copies of all documents relating to the answer to this interrogatory.

36A. Do you contend that any actions of Applicant (including refusals by Applicant to act) caused or contributed to the City's decision to construct, either alone or jointly, any generation or transmission facility? If so, describe in detail each such facility; the actions of Applicant that are asserted to have been involved; how the City became aware of such actions of Applicant; and the alternatives, if any, considered by the City to construction of the facility; and provide copies of all documents related thereto and to the City's decision to construct such facility.

37. Furnish maps or sketches of present system facilities and of system facilities as of year-end during each year of the designated period which show the geographic location of the City's power plants, principal substations, power lines, all connections and transfer points with other systems, and the boundary line of the service area together with the communities therein supplied with electric energy.

38. (a) Provide copies of all documents relating in any way to cost of service studies, bill frequency analyses, cost or profitability analyses by customer class and/or for the City's system as a whole prepared by or for the City during the period 1970 to date. (b) Describe any similar or related studies presently being prepared by or for the system, including but not limited to information as to (1) the date on which such study was initiated, (2) the name of the system's employee responsible for the preparation of such study and, if the study is being prepared by an individual or organization retained by or on behalf of the system, the name and address

of such entity, (3) the planned completion date of the study, and (4) a general description of the purposes and subject matter of the study.

39. Provide copies of all reports prepared by or for the system from 1970 to date relating to the quality of service rendered by the system, to the state of repair or adequacy of any of the system's major electrical facilities, or to the ability to serve new customers or materially increased loads.

40. (a) Provide copies of each document prepared by or for the City, or on which the City has relied, which contain any reference to expected future increases in production capacity, investment in the system or growth in the system's peak demand, sales, revenues, profits and/or number of customers served. (b) Describe any studies or other inquiries presently being prepared by or for the City on such matters, and state the name and address of the person or other entity preparing same and the expected completion date.

41. (a) State the forecasts of peak demand, energy production (or usage), generation capacity, wholesale purchases and electric revenues for the period 1976-1990 which the City is now utilizing for planning purposes. (b) Identify the basis for such forecasts. (c) Provide copies of all documents related to the answer to this interrogatory.

42. Provide copies of any documents prepared by or for the City relating to the technical and/or economic feasibility or desirability of providing electric service to present or potential customers. (For purposes of this interrogatory, large customers are those with a demand of 50 kilowatts or more.)

43. (a) Describe any present effort being made by or for the City relating to the technical and/or economic feasibility or desirability of providing electric service to present or potential customers with demands of 50 kilowatts or more and state the name and address of the person or other entity engaged in such effort and the expected completion date of the project.

(b) Provide copies of all documents relating to the answer to this interrogatory.

44. Provide copies of any document prepared by or for the City, or in the possession or control of the City, relating to the effect or municipal ownership of an electric power system on electricity rates, quality of service and/or industrial development.

44A. Provide copies of any document prepared by or for the City, or in the possession or control of the City, relating to the effect of a change from municipal to private utility ownership of an electric power system on electricity rates, quality of service and/or industrial development.

45. (a) Identify by type of business and load size the 10 largest customers, in terms of annual kilowatt-hour consumption, which ceased taking electric service from the system during the period 1970 to date. In making this determination, use the kilowatt-hours consumed by each such customer in the full year preceding such termination. (b) State the reasons, if known, for the loss of each customer specified in response to subsection (a) and the date each terminated service. (c) Provide copies of all documents relating in any way to the loss of each such customer or the facilities transferred in connection with the loss of each such customer.

46. (a) Identify by type of business and load size the system's 10 largest customers in terms of annual kilowatt-hour consumption which began taking electric service from the system during the period 1970 to date. In making this determination, use the kilowatt-hours consumed by each such customer during 1977. (b) State the date on which service was initiated to each such customer. (c) State which of such customers were acquired as a result of relocation into the service area of the system, from where each came and the name of the utility previously supplying electricity to each such customer.

(d) As to each of those customers involving a change in suppliers, but for which geographic relocation was not involved, state (1) the electric utility formerly providing service to each of the customers in question, and (2) the reasons for the change in electricity suppliers. (e) Provide copies of all documents relating to the answer to this interrogatory. (f) As to each of those customers for which a geographic location was involved, provide copies of documents relating to (1) information requested of the system by the customer regarding relocation, and (2) information supplied to the customer by the system in response to the customer's request(s).

47. Provide a copy of any interchange, coordinating or integrating agreement, contract or understanding for the sale or exchange of electric power and energy between the City and any other electric utility now in effect, or in effect at any time during the designated period. Exclude any such agreement with Florida Power & Light Company.

48. (a) Provide copies of all power supply contracts between the system and each of its customers, together with all amendments thereto relating to the provision of power supply

and effective during 1970 to date. (b) Provide copies of all power supply contracts under which City is not presently supplying power but has agreed to do so at some time in the future.

49. (a) Provide copies of all electric rate schedules and tariffs which have been in effect during the period 1970 to date. (b) State, by year, the kilowatt hours (and if available, annual coincidental and noncoincidental kilowatt) sales made under each and the annual revenues derived therefrom. (c) State the average number of customers served under each schedule during each year.

50. Identify the customer characteristics required for service under each rate schedule, tariff, rate contract or agreement provided in response to Interrogatories 48 through 49.

51. (a) Identify all electric rate schedules, tariffs, and rate contracts or agreements furnished in response to Interrogatories 48 through 49 under which five or fewer customers are served. (b) Identify by type of business and load size each customer so served and, for each year of the designated period, state each such customer's annual peak demand, annual kilowatt-hour consumption and the gross annual electric revenues received by the system from such customer.

52. Provide copies of all contracts with fuel suppliers entered into or effective during the designated period.

53. (a) Provide copies of all fuel, purchased power, materials, commodity, tax, wage or other adjustment clauses

found in each rate schedule, tariff, rate contract or agreement in effect any time during 1970 to date. (b) State the adjustment level applicable on January 1 of each year and explain the basis on which each adjustment was determined.

54. (a) State the effective date and describe the substance of each change made at any time during 1970 to date in any rate schedule, tariff, contract, agreement or terms and conditions of service provided in response to Interrogatories 47 through 49 and 52. (b) Provide copies of any documents indicating the effect on revenues in dollar and/or percentage terms of all rate changes identified in your answer to subsection (a) of this interrogatory.

55. (a) State whether during the period 1970 to date the system has proposed, or discussed the possibility of proposing, to any actual or potential customer or other person, any electric rate schedule, tariff, rate contract or agreement, conditions and terms of service or any other statement of rates other than those furnished in response to Interrogatories 48 through 49. (b) Provide copies of any documents relating to such proposals.

56. (a) Identify by type of business and load size each customer served under any rate schedule, tariff, contract, agreement or any arrangement for service other than those described in response to Interrogatories 48 through 49. (b) Provide copies of any documents relating to the answer to this interrogatory.

57. For each year from 1970 to date, identify by type of business and load size all of City's customers with annual peak demands of 200 KW or more.

58. For each customer identified in Interrogatories 56 and 57, state for each year of the designated period the following: (a) annual kilowatt-hour sales to the customer, (b) annual revenues derived from the customer, (c) the customer's annual peak demand, (d) applicable rate schedules for service to the customer, (e) the minimum monthly charge applicable to the customer, (f) the voltage at which service was provided to the customer.

59. Provide actual bills rendered to the ten largest industrial and ten largest commercial customers (as determined now) for each month during the period 1970 to date. Names and addresses may be blocked out so long as type of business is identified.

60. Identify all purchases and sales of power and energy from and to other utilities for each year of the designated period indicating date, kilowatts, kilowatt hours and amount of settlement or payment. (b) Classify each such purchase or sale as "wholesale", "economy energy", "emergency power" or other, and identify the contract or schedule under which each sale or purchase was made.

61. (a) Provide a list of all outages of the system involving 10% or more of the system's customers or load that have occurred from 1970 to date. (b) Describe the circumstances of each such outage including, but not limited to, the date on which it occurred, the number of customers which such outage affected, the total time of the outage on a per customer basis and the reasons for or causes of the outage.

(c) Provide copies of all documents relating to each such outage.

62. (a) State whether any other supplier of electric service is franchised to, or does render electric service within the area served with electricity by the City. (b) If so, for each such supplier franchised to render, or rendering, service, state its name and the area served by it.

63. (a) Does the City have any plans, tentative or firm, to expand, enlarge, purchase or add to present generation and transmission facilities? (b) If so, describe the plans and provide copies of all documents relating to consideration or evaluation during the designated period of each such plan.

64. (a) Does the City have any plans, tentative or firm, to expand the area served by the City's distribution system? (b) If so, describe the plans and provide copies of all documents relating to consideration or evaluation during the designated period of each such plan.

65. (a) Does the City have any plans, tentative or firm, to expand, enlarge or add to present interconnections with any other utility? (b) If so, describe the plans and provide copies of all documents relating to consideration and evaluation during the designated period of each such plan.

66. Provide copies of all transcriptions, meeting notes, memoranda, or other documents relating to all meetings during the designated period of any city council, commission or authority at which electric utility matters were discussed.

67. (a) State whether during the designated period the system has requested or inquired into the initiation of wholesale electricity supply by an electric utility, department,

agency, or group of such entities. (b) If so, furnish the following information as to each such request or inquiry:

(1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

68. (a) During the designated period, has the system ever requested or inquired of any electric utility supplying it wholesale electricity concerning (1) an increase in delivery voltage, (2) an increase in number of delivery points, (3) a change in location of delivery points, (4) a change in the type of service provided or the rate schedule under which it is provided or (5) an increase in capacity reserved for its use? (b) If so, furnish the following information as to each such request or inquiry: (1) name and title of the person making the request, (2) form of request (i.e., written or oral in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of

response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (f) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

69. (a) Other than as indicated in the answers to Interrogatory 67(b) and 68(b), has the system during the designated period ever considered requesting any electric utility to, or inquiring of any electric utility about, any of the matters listed in those interrogatories? (b) If so, state the reason why such request or inquiry was not communicated to any electric utility. (c) Provide copies of all documents relating to the answer to this interrogatory.

70. (a) Do you contend that Applicant has at any time refused to sell wholesale power to any electric utility?

(b) If so, state the basis for your contention. (c) Identify each act, failure to act, and document which supports the contention that Applicant has refused to sell wholesale power to any electric utility. (d) Provide copies of all documents relating to the answer to this interrogatory.

71. (a) Do you contend that Applicant is now refusing to sell wholesale power to any electric utility? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant is now refusing to sell wholesale power to any electric utility. (d) Provide copies of all documents relating to the answer to this interrogatory.

71A. Do you contend that Applicant has conditioned or attempted to condition the sale of wholesale power to any electric utility on such utility's agreement to restrict the persons or entities to which any or all of such power would be resold? If so, state the factual basis for your contention, specifically identifying each act or failure to act by Applicant, and each document that supports such contention. Provide copies of all documents relating to the answer to this interrogatory.

72. (a) If the answers to Interrogatory 70 or 71, or both, are affirmative, do you contend that Applicant has at anytime during the designated period been requested to sell wholesale power to any electric utility? (b) If so, describe each such request and Applicant's response thereto and furnish the following information: (1) name and title of the person making the request, (2) form of request (i.e., written or

oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

72A. (a) Other than as indicated in the answer to subsection (b) the preceding interrogatory, has the system during the designated period ever considered requesting Applicant to sell wholesale power to any electric utility? (b) If so, state the reason why such request was not communicated to Applicant. (c) Provide copies of all documents relating to the answer to this interrogatory.

73. (a) State whether during the designated period the system has requested or inquired as to the possibility of interconnection (on the basis of parallel operation or otherwise) with an electric utility or modification of existing or planned interconnection arrangements with an electric utility other than Applicant. (b) If so, describe each such request and Applicant's response thereto and furnish the following information: (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom

request was addressed and identity of utility involved, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

74. (a) Other than as indicated in the answer to Interrogatory 73(b), has the system during the designated period ever considered requesting any electric utility other than Applicant to, or inquiring of any electric utility, other than Applicant about, any of the matters listed in Interrogatory 73(a)? (b) If so, state the reason why such request or inquiry was not communicated to any electric utility. (c) Provide copies of all documents relating to the answer to this interrogatory.

75. (a) Do you contend that Applicant has at any time refused to interconnect, or to interconnect on reasonable terms, or to agree to modification of an existing or planned interconnection arrangement with an electric utility? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant has refused to interconnect, to interconnect on reasonable terms, or to agree to modifications of existing or planned interconnection arrangements. (d) Provide copies of all documents relating to the answer to this interrogatory.

76. (a) Do you contend that Applicant is now refusing to interconnect, or to interconnect on reasonable terms, or to agree to modification of an existing or planned interconnection arrangement with an electric utility? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant has refused to interconnect, to interconnect on reasonable terms, or to agree to modifications of existing or planned interconnection arrangements. (d) Provide copies of all documents relating to the answer to this interrogatory.

77. (a) If the answer to Interrogatory 75 or 76, or both, are affirmative, do you contend that Applicant has at any time during the designated period been requested to interconnect, to interconnect on reasonable terms, or to agree to modification of an existing or planned interconnection arrangement with an electric utility? (b) If so, describe each such request and Applicant's response thereto and furnish the following information (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and

(8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

78. (a) Other than as indicated in the answer to Interrogatory 77(b), has the system during the designated period ever considered requesting Applicant to interconnect, to interconnect on reasonable terms, or to agree to modification of an existing or planned interconnection arrangement with an electric utility? (b) If so, state the reason why such request was not communicated to Applicant. (c) Provide copies of all documents relating to the answer to this interrogatory.

79. (a) List each occasion during the designated period on which the City communicated with any electric utility (or group or association of electric utilities) regarding the purchase, sale or exchange of bulk power (or energy). (b) As to each such communication, furnish the following information: (1) names and titles of persons involved in the communication, (2) subject matter thereof, (3) a description of the circumstances surrounding the communication, (4) date of the communication, (5) form of the communication (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present, (6) the action taken by each party as a result of the communication, and (7) if no action was taken, the reason therefor. (c) Provide copies of all documents relating to the answer to this interrogatory.

80. (a) Do you contend that Applicant has at any time refused to purchase, sell or exchange bulk power (or energy) from, to or with an electric utility or unreasonably delayed entering into any such transaction? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant has refused to purchase, sell or exchange bulk power or energy. (d) Provide copies of all documents relating to the answer to this interrogatory.

81. (a) Do you contend that Applicant is now refusing to purchase, sell or exchange bulk power (or energy) from, to or with any other electric utility or is unreasonably delaying entering into any such transaction? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant is refusing to purchase, sell or exchange bulk power or energy. (d) Provide copies of all documents relating to the answer to this interrogatory..

82. (a) If the answer to Interrogatory 80 or 81, or both, is affirmative, do you contend that Applicant has at any time during the designated period been requested to purchase, sell or exchange bulk power (or energy) from, to or with any electric utility? (b) If so, describe each such request and Applicant's response thereto and furnish the following information (1) name and title of the person making the request, (2) form of request (i.e., written or

oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

83. (a) Other than as indicated in the answer to Interrogatory 82(b), has the system during the designated period ever considered requesting Applicant to purchase, sell or exchange bulk power (or energy) from, to or with any electric utility. (b) If so, state the reason why such request was not communicated to Applicant. (c) Provide copies of all documents relating to the answer to this interrogatory.

84. (a) List each occasion on which the City communicated with any electric utility (or group or association of electric utilities) regarding joint planning, development, ownership or use of any electric generation or transmission facility. (b) As to each such communication, furnish the following information: (1) name and titles of persons

involved in the communication, (2) subject matter thereof, (3) a description of the circumstances surrounding the communication, (4) date of the communication, (5) form of the communication (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present, (6) the action taken by each party as a result of the communication, (7) if no action was taken, the reason therefor. (c) Provide copies of all documents relating to the answer to this interrogatory.

85. (a) List each occasion on which the City has requested or inquired into the availability of transmission, delivery, displacement or wheeling services. (b) Describe each such request and Applicants response thereto, and, furnish the following information: (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time of the request, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

86. (a) Do you contend that Applicant has at any time refused to provide transmission, delivery, displacement or wheeling services to any electric utility or unreasonably delayed entering into any such transaction? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant has refused to provide transmission, delivery, displacement or wheeling services. (d) Provide copies of all documents relating to the answer to this interrogatory.

87. Do you contend that Applicant is now refusing to provide transmission, delivery, displacement or wheeling services to any electric utility or is unreasonably delaying entering in any such transaction? (b) If so, state the basis for your contention. (c) Identify each act, failure to act and document which supports the contention that Applicant is refusing to provide transmission, delivery, displacement or wheeling services. (d) Provide copies of all documents relating to the answer to this interrogatory.

88. (a) If the answer to Interrogatory 86 or 87 or both are affirmative, do you contend that Applicant has at any time during the designated period been requested to provide transmission, delivery, displacement or wheeling services to any electric utility? (b) If so, furnish the following information as to each such request: (1) name and title of the person making the request, (2) form of

request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response.

(c) Provide copies of all documents relating to the answer to this interrogatory.

88A. (a) Other than as indicated in the answer to Interrogatory 88(b) has the system during the designated period considered requesting Applicant to provide transmission, delivery, displacement or wheeling services to any electric utility? (b) If so, state why such request was not communicated to Applicant. (c) Provide copies of all documents relating to the answer to this interrogatory.

89. (a) List each occasion on which the City communicated with any other electric utility (or group or association of electric utilities) regarding the formation of, or participation in, a power pool or other similar coordination arrangement. (b) As to each such communication furnish the following information: (1) name and title of persons involved in the communication, (2) subject matter thereof, (3) a description of the circumstances surrounding the communication, (4) date

of the communication, (5) form of the communication (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present, (6) the action taken by each party as a result of the communication, and (7) if no action was taken, the reason therefor. (c) Provide copies of all documents relating to the answer to this interrogatory.

90. (a) Do you contend that Applicant has refused or is refusing a request that it participate in a power pool or similar coordination arrangement? (b) If so, describe each such request and Applicants response thereto and furnish the following information (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

91. (a) Other than as indicated in the response to Interrogatory 90(b), has the system during the designated period considered requesting Applicant to participate in a

power pool or similar coordination arrangement? (b) If so, state the reason why such request was not communicated to Applicant. (c) Provide copies of all documents relating to the answer to this interrogatory.

92. (a) State whether customers within the area generally served by the system have at any time during the designated period had the option of (1) changing from electric service by the City to service by any other utility or supplier, or (2) changing from electric service by another utility or supplier to service by City. (b) For changes not involving geographic location, state for each year of the designated period (1) the number of customers by customer class who changed during the year from electric service by another electricity supplier to service by City, and (2) the kilowatt-sales to such customers in each year, or portion thereof, in which service was supplied by Cities. (c) For changes not involving geographic location state for each year of the designated period (1) the number of customers by customer class who changed during the year from electric service by City to service by another electricity supplier, and (2) the kilowatt hour consumption by such customers and supplied by City in the year such change occurred and in the five years immediately preceding such change. (d) Provide copies of all documents relating to the answer to this interrogatory.

93. (a) State whether the City at any time during the period 1970 - date has had an industrial development department or an individual or group of individuals which has engaged alone or with any other persons or entity in activities or other efforts designed to attract commercial and/or industrial facilities to locate in the area served by the system.

(b) If so, state (1) the name of such department or individual(s), (2) the name and address of each person in charge of such activities or other efforts, together with the dates during which such person held such position, and (3) the name and address of any person or other entity with whom the system engaged in such activities or other efforts and the dates during which it did so.

94. (a) State whether the City at any time from 1970 to date has retained, employed or consulted with any person or organization to advise on, investigate or in any way conduct activities designed to attract commercial and/or industrial facilities to locate in the area served by the system.

(b) If so, state the name and address of each person or organization employed, retained or consulted.

95. Describe in detail the activities or other efforts undertaken from 1970 to date by the City or any person or organization employed, retained or consulted by or on behalf of the City to attract commercial and/or industrial facilities to locate in the area served by the City, specifying in each case the name of the entity conducting such activity and the dates relevant thereto.

96. Provide copies of all documents relating to the answer to Interrogatories 93, 94 and 95.

97. (a) Identify by type of business and load size the commercial and/or industrial customers or potential customers with whom any discussions, approach or other contact was made during the designated period regarding their relocation to the area served by the system. (b) Provide copies of all documents relating to your answer to this interrogatory.

98. (a) State whether Cities have refused, or declined or not sought the opportunity to provide electric service to any prospective industrial or commercial customer at any time during the designated period. (b) If so, (1) detail the circumstances of each such refusal or decision, (2) identify by type of business and load size each such customer and the present electric utility supplier of each such customer, and (3) provide copies of all documents relating to each such refusal or decision.

99. (a) State whether during the designated period the system has found it necessary to deny, limit or delay service to any existing or potential customer based on a present or projected capacity deficiency. (b) If so, describe each such situation fully in the following respects: (1) identify the existing or potential customer, (2) whether it was an

existing or potential customer, (3) date of refusal, and (4) employee of the system conveying the refusal. (c) Provide copies of all documents relating to the answer to this interrogatory.

100. (a) State whether during the designated period the system has refused to provide, has limited or delayed electric service to any electric customer or potential customer due to any of the following causes: (1) limitations imposed by the voltage at which wholesale power is delivered or interconnections are maintained, (2) the number of delivery points made available by the wholesale supplier or points of interconnection made available by another utility, or (3) the capacity reserved by the wholesale electricity supplier or interconnected utility. (b) Provide copies of all documents relating to the answer to this interrogatory.

101. Has the City, alone, in combination with others, or through membership in or affiliation with any organization of any kind, conducted or participated in conducting any study, investigation or evaluation regarding the utilization or possible or potential utilization of nuclear electric generation?

102. If the answer to the preceding interrogatory is affirmative, state:

(a) The identify of the person or other entity conducting such study, investigation or evaluation,

(b) The identity of all persons engaged in the conduct of such study, evaluation or investigation,

(c) the date on which such study, investigation or evaluation was commenced,

(d) whether such study, investigation or evaluation has been completed and, if so, the date of such completion,

(e) whether such study, investigation or evaluation produced or resulted in any written documents (including, but not limited to, final reports, interim or preliminary reports and partial reports),

(f) the identifying characteristics of all documents referred to in the answer to subsection (e) of this interrogatory,

(g) whether such study, investigation or evaluation produced or resulted in any oral reports of any nature whatsoever. If so, state the date of each such oral report, the identity of the person making such report, the identity of each person to whom such oral report was made, the identity of each person present, the subject matter of such oral report, and a summary thereof,

(h) whether such study, investigation or evaluation was conducted

- (1) by the City alone,
- (2) by the City in combination with others, or
- (3) by the City through membership in or

affiliation with an organization. If such study, investigation or evaluation was not conducted by the City alone, identify all other entities involved in the conduct of same on whose behalf such study, investigation or evaluation was made.

103. Provide copies of all documents referred to in the answer to the preceding interrogatory (including notes of oral reports) and all other documents relating in any way to the City's actual, possible, potential or contemplated use of nuclear electric generation.

103A. When did the city first become aware of the Applicant's plans to construct Turkey Point #3? Turkey Point #4? St. Lucie #1? Has the City ever requested participation in any such unit? If so, when? Did the City ever consider participation in any such unit prior to the time of its request? If so, why was such a request not made sooner? Provide copies of all documents relating to the answers to the foregoing.

104. (a) Had the City made a decision prior to July 21, 1976, (either tentative or firm) on whether to participate in the South Dade Plant (as an owner or purchaser of unit power or otherwise) if it was accorded the opportunity to do so?

(b) Provide copies of all documents relating to such decision.

104A (a) Has the City made a decision (either tentative or firm) on whether to participate in the St. Lucie 2 plant (as an owner or purchaser of unit power or otherwise) if it is accorded the opportunity to do so? (b) Provide copies of all documents relating to such decision.

105. If the answer to the preceding interrogatory is affirmative, recount in detail all steps taken in the decision-making process, referring to each consultation and to each executive, administrative, and board commission or authority decision, recommendation or report concerning same.

106. (a) Is it contended that the City has offered to assume the obligations of ownership of an interest in the St. Lucie Unit No. 2? Of any other generating facility owned or planned by Applicant? (b) If so, state the circumstances of said offer, including (1) name and title of person(s) making the offer, (2) form of offer (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the offer was made, (3) date of offer, (4) person to whom offer was communicated, (5) name of person who responded to offer, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom response was communicated, and (8) date of response. (c) Provide copies of all documents relating to the answer to this interrogatory.

107. (a) If the answer to Interrogatory 104A above is not in the affirmative, has the City considered whether it will participate in the St. Lucie No. 2 Plant (as an owner or purchaser of unit power or otherwise) if it is accorded the opportunity to do so? (b) If so, recount in detail all steps which have been taken in such consideration, all steps currently being taken in such consideration, and all steps which remain to be taken as prerequisites to a decision to do so, stating as to each such step whether it (1) has been completed, (2) is currently in progress, or (3) has not yet been commenced.

107A. (a) If the answer to Interrogatory 104 above is not in the affirmative, has the City at any time considered whether it would participate in the South Dade plant (as an owner or purchaser of unit power or otherwise) if it had been accorded the opportunity to do so? (b) If so, recount in detail all steps which were taken in such consideration, stating as for each step.

108. (a) If neither the answer to Interrogatory 104 nor the answer to Interrogatory 107 is in the affirmative, would the City seriously consider participation in the St. Lucie Unit 2 Plant (as an owner or purchaser of unit power or otherwise) if it is accorded the opportunity to do so? (b) If so, recount in detail all steps which would have to be taken in order for such consideration to result in an affirmative decision, referring to each consultation and to each executive, administrative, and board, commission or authority decision, recommendation or report concerning same.

109. Provide copies of all documents relating to the answers to Interrogatories 105 through 108.

110. (a) Is it your contention that a situation inconsistent with the antitrust laws would be created or maintained by the denial to you of access to, or participation in, the St. Lucie Unit 2, either as an owner, a purchaser of unit power, or otherwise, if (1) such denial is considered alone, or (2) such denial is considered together with other factors.
(b) Identify such other factors.

111. If your answer to (a) (1) or (a) (2) of the preceding interrogatory is in the affirmative, (a) identify the provision(s) of the antitrust laws as to which such alleged inconsistency applies. (b) Is it your contention that a situation inconsistent would be created? (c) Is it your contention that a situation inconsistent would be maintained? (d) Explain the basis of your contention(s).

112. Is the City a participant in Crystal River Plant, Unit No. 3. If so, what is its percentage ownership share? Describe in detail on what basis that percentage ownership share was determined and provide copies of all documents relating to the determination of that percentage ownership share.

112A. Furnish copies of all documents relating to the City's possible or actual participation, including by purchase of electric power, individually or together with any other utility, in Crystal River Plant, Unit No. 3 and any proposed

or contemplated electric generating unit to be constructed or operated by any entity other than Applicant, including but not limited to Florida Power Corporation, the Jacksonville Electric Authority and Georgia Power Company. This request includes documents relating to units in joint participation possibilities that may have been considered at one time, but rejected.

113. (a) Define "nondiscriminatory access to nuclear power" as that phrase is used on page 11 of the Joint Petition.

(b) Provide copies of all documents relating to the answer to this interrogatory.

114. (a) Do you contend that nuclear fuel generation is superior to fossil fuel in any of the following respects:

(1) availability, (2) environmental characteristics, (3) cost, and (4) other (please specify)? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

115. (a) Do you contend that individual nuclear generating units are characterized by economies of scale? (b) If so, what size nuclear unit do you contend yields the lowest cost?

116. For the following individual nuclear generating unit sizes, state your understanding of the general relationship between the investment cost per kilowatt of capacity for the various size units (e.g., the investment cost per kilowatt of an 800 megawatt unit is 1.1 times that of a 600 megawatt unit and 0.9 times that of an 1,100 megawatt unit):

- (a) 200 megawatts
- (b) 400 megawatts
- (c) 600 megawatts
- (d) 800 megawatts
- (e) 1,000 megawatts
- (f) 1,200 megawatts

117. For the following individual nuclear generating unit sizes, state your understanding of the general relationship between the operating costs per kilowatt of capacity for the various size units:

- (a) 200 megawatts
- (b) 400 megawatts
- (c) 500 megawatts
- (d) 800 megawatts
- (e) 1,000 megawatts
- (f) 1,200 megawatts

118. Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answers to Interrogatories 114 through 117.

119. (a) Do you contend that economies are achieved by installing more than one nuclear generating unit in a single generating plant? (b) If so, provide your estimates of the relative costs per kilowatt of capacity for one unit, two unit, three unit and four unit plants. (c) Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answer to this interrogatory.

121. (a) Do you contend that Applicant has at any time during the designated period been requested to grant access to or participation in any nuclear plant planned by Applicant?

(b) If so, describe each such request and Applicant's response thereto, and furnish the following information as to each such request: (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response and (9) nuclear plants in which participation requested; (c) provide copies of all documents relating to the answer to this interrogatory.

123. (a) Is it your position that wheeling rates should include compensation to the wheeling system for ~~line~~ losses associated with the wheeling transaction?

(b) If the answer to subsection (a) of this interrogatory is negative, explain in detail the basis for that response and provide all documents supporting or relating to your response.

(c) If the answer to subsection (a) of this interrogatory is affirmative, should the portion of the wheeling rate associated with losses be set equal to the cost of the losses imposed on the wheeling system by the wheeling transaction?

(d) If the answer to subsection (c) of this interrogatory is negative, state each and every other basis you deem appropriate for the setting of that portion of any wheeling rate associated with losses.

(e) How should the line losses referred to in subsection (a) of this interrogatory be determined?

(f) Upon what basis and by what method should the costs associated with the line losses referred to in subsection (a) of this interrogatory be determined?

(g) Provide copies of all documents prepared by or for the City or upon which the City relies that relate to methods for determining the magnitude and cost of transmission line losses associated with the transmission of power by or for other utilities.

124. (a) Is it your position that wheeling rates should include compensation to the wheeling system for use of the transmission facilities utilized in carrying out the wheeling transaction?

(b) If the answer to subsection (a) of this interrogatory is negative, explain in detail the basis for that response and furnish copies of all documents supporting or relating to that response.

(c) If the answer to subsection (a) of this interrogatory is affirmative, should the portion of the wheeling rate associated with transmission facilities be set equal to the cost of those facilities that are imposed on the wheeling system by the wheeling transaction?

(d) If the answer to subsection (c) of this interrogatory is negative, state each and every other basis you deem appropriate for the setting of that portion of any wheeling rate associated with the transmission facilities utilized in carrying out the wheeling transaction.

(e) How should it be determined which transmission facilities of the wheeling system are utilized in carrying out the wheeling transaction?

(f) Upon what basis and by what method should the cost associated with the transmission facilities referred to in subsection (a) of this interrogatory be determined?

(g) What rate of return should be allowed to the wheeling system as compensation for the use of its transmission facilities?

(h) Provide copies of all documents prepared by or for the City or upon which the City relies that relate to methods for determining the magnitude and cost of transmission facilities associated with the transmission of power by or for other utilities.

127. (a) Do you deny that as a direct result of wheeling power for another system, cost minimization may require the wheeling system to reconfigure both its transmission and generation additions?

(b) If the answer to subsection (a) of this interrogatory is negative, state your understanding of the effect that wheeling transactions may have on future generation and transmission facility additions and furnish copies of all documents supporting or relating to your response.

(c) If the answer to subsection (a) of this interrogatory is affirmative, state in detail the basis for your response and furnish copies of all documents supporting or relating thereto.

(d) If the answer to subsection (a) of this interrogatory is negative, should any or all of the costs imposed on the wheeling system by any required reconfiguration of its transmission and generation additions be reflected in the wheeling rate charged?

(e) If the answer to subsection (d) of this interrogatory is negative, explain in detail the basis for your response.

(f) If the answer to subsection (d) of this interrogatory is affirmative, upon what basis and by what method should the costs associated with such transmission and

generation addition reconfigurations be determined?

129. (a) Do you deny that entering into and carrying out wheeling transactions imposes additional regulatory expenses and transactions costs on the wheeling system? For the purpose of this interrogatory, transactions costs are defined as managerial and engineering costs associated with the negotiation of and transactions costs on the wheeling system? For the purpose of this interrogatory, transactions costs are defined as managerial and engineering costs associated with the negotiation of and continuous review and administration of the wheeling arrangement.

(b) If the answer to subsection (a) of this interrogatory is affirmative, explain in detail the basis for your response and furnish copies of all documents supporting or relating thereto.

(c) If the answer to subsection (a) of this interrogatory is negative, should the costs referenced there be reflected in the wheeling rate charged?

(d) If the answer to subsection (c) of this interrogatory is negative, explain in detail the basis for your response.

(e) If the answer to subsection (c) of this interrogatory is affirmative, upon what basis and by what method should the costs associated with regulatory and transactions burdens be determined?

(f) Provide copies of all documents prepared by or for the City or upon which the City relies that relate to the methods for determining the magnitude and cost of regulatory and transactions burdens associated with the transmission of power by or for other utilities.

129. (a) Is it your position that the offering by Applicant of a single generally applicable wheeling rate is a necessary part of achieving a situation consistent with the antitrust laws?

(b) Is it your position that a single generally applicable wheeling rate can be instituted for a given system which will reflect appropriately the costs imposed on that system by each individual wheeling transaction which may be carried out under that tariff?

(c) If the answer to subsection (b) of this interrogatory is affirmative, explain in detail the basis for your answer and furnish copies of all documents supporting or relating thereto.

(d) If the answer to subsection (b) of this interrogatory is negative, do you contend that it is appropriate to fix a single rate for a utility service which varies in cost?

130. (a) Provide copies of all documents prepared by or for the City during the designated period or relied upon by the City which relate to the cost of wheeling power, the feasibility of obtaining wheeling services from others, or the benefits the City might receive from such wheeling arrangements.

131. During the designated period, has the City, alone, in combination with others, or through membership in or affiliation with any organization of any kind conducted or participated in conducting any study, investigation or evaluation or comparison between or among any of the following alternative generation methods: (a) nuclear electric generation, (b) use of natural gas as a fuel, (c) use of coal as a fuel, (d) use of fuel oil as a fuel, (e) hydroelectric generation, (f) use of solar energy, (g) use of geothermal energy, and (h) any other form of generation of electricity.

132. If the answer to the preceding interrogatory is affirmative, state (a) who conducted such study, investigation or evaluation, (b) the date on which such study, investigation or evaluation was commenced, (c) whether such study, investigation or evaluation has been completed and, if so, the date of such completion, (d) whether such study, investigation or evaluation produced or resulted in any written document (including, but not limited to,

final reports, preliminary reports, interim reports and partial reports) and, if so, the identifying characteristics of each such document, (e) whether such study, investigation or evaluation produced, resulted in, or included any oral reports summaries or presentations and, if so, the identity of the person(s) making such report, summary or presentation, the date(s) of such report, summary or presentation, the identity of all persons present at such report, summary or presentation, and the place where such report, summary or presentation was made. (f) Provide copies of all documents related to the response to this interrogatory, including studies, drafts of studies, all supporting work papers, and notes of any and all oral reports, summaries or presentations referred to in subsection (e) hereof. (g) Provide a summary of all such oral reports, summaries or presentations referred to in subsection (e) hereof.

133. During the designated period, has the City, alone, in combination with others, or through membership in or affiliation with any organization of any kind conducted or participated in conducting any study, investigation or evaluation of ownership of generation compared with (a) unit power purchase, (b) wholesale power purchase, and/or (c) ownership participation in generating facilities constructed by other electric utilities?

134. If the answer to the preceding interrogatory is affirmative, state (a) who conducted such study, investigation or evaluation, (b) the date on which such study, investigation or evaluation was commenced, (c) whether such study, investigation or

evaluation has been completed and, if so, the date of such completion, (d) whether such study, investigation or evaluation produced or resulted in any written document (including, but not limited to, final reports, preliminary reports, interim reports and partial reports) and, if so, the identifying characteristics of each such document, (e) whether such study, investigation or evaluation produced, resulted in, or included any oral reports, summaries or presentations and, if so, the identity of the person(s) making such report, summary or presentation, the date(s) of such report, summary or presentation, the identity of all persons present at such report, summary or presentation, and the place where such presentation was made. (f) Provide copies of all documents related to the response to this interrogatory, including studies, drafts of studies all supporting work papers, and notes of any and all oral reports, summaries or presentations referred to in subsection (e) hereof. (g) Provide a summary of all such oral reports, summaries or presentations referred to in subsection (e) hereof.

135. (a) What are the present and/or contemplated plans and or arrangements of the city or any organization of which it is a member or affiliate for the acquisition, transportation and supply of nuclear fuel and/or any product(s) or service(s) associated with the nuclear fuel cycle? (b) Provide copies of all contracts and other documents relating to the acquisition transportation and supply of nuclear fuel and/or any product(s) or service(s) associated with the nuclear fuel cycle, and all studies, evaluations, proposals and other documents prepared in the past ten

years relating to consideration of any such plan or arrangement.

(c) Provide copies of all documents created within the past ten years reflecting or relating to the City's assessment of the availability of or cost of any such product or service.

136. (a) What are the present and/or contemplated plans and arrangements of the city or any organization of which it is a member or affiliate for the acquisition and supply of natural gas and/or any product(s) or service(s) connected therewith?

(b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared during the designated period relating to consideration of any such plan or arrangement. (c) Provide copies of all documents created during the designated period reflecting or relating to the City's assessment of the feasibility, availability or cost of natural gas and/or any product(s) or service(s) connected therewith.

137. (a) What are the present and/or contemplated plans and arrangements of the city or any organization of which it is a member or affiliate for the acquisition and supply of fuel oil and/or any product(s) or service(s) connected therewith?—(b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared in the past ten years relating to consideration of any such plan or arrangement.

(c) Provide copies of all documents created within the past ten years reflecting or relating to the City's assessment of the feasibility, availability or cost of fuel oil and/or any product(s) or service(s) connected therewith.

138. (a) What are the present and/or contemplated plans and arrangements of the City or any organization of which it is a member or affiliate for the acquisition and supply of coal and/or any product(s) or service(s) connected therewith? (b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared in the past ten years relating to consideration of any such plan or arrangement. (c) Provide copies of all documents created within the past ten years reflecting or relating to the City's assessment of the feasibility, availability or cost of coal and/or any product(s) or service(s) connected therewith.

139. (a) What are the present and/or contemplated plans and arrangements of the City or any organization of which it is a member or affiliate for the acquisition and supply of hydroelectric power and/or product(s) or service(s) connected therewith? (b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared in the past ten years relating to consideration of any such plan or arrangement. (c) Provide copies of all documents created within the past ten years reflecting or relating to the City's assessment of the feasibility, availability or cost of hydroelectric power and/or any product(s) or service(s) connected therewith.

140. (a) What are the present and/or contemplated arrangements of the City or any organization of which it is a member or affiliate for the acquisition and supply of solar electrical generating equipment and/or any product(s) or service(s) connected therewith? (b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared during the designated period relating to consideration of any such plan or arrangement. (c) Provide copies of all documents created during the designated period reflecting or relating to the City's assessment of the feasibility, availability or cost of solar electrical generating equipment and/or any product(s) or service(s) connected therewith.

141. (a) What are the present and/or contemplated arrangements of the City or any organization of which it is a member or affiliate for the acquisition and supply of any other source of electrical generation, other than those listed above, and/or any product(s)

or service(s) connected therewith? (b) Provide copies of all contracts and other documents relating thereto, and all studies, evaluations, proposals and other documents prepared during the designated period relating to consideration of any such plan or arrangement. (c) Provide copies of all documents created within the designated period reflecting or relating to the City's assessment of the feasibility, availability or cost of such other source(s) of electrical generation and/or any product(s) or service(s) connected therewith.

142. (a) State whether the system's natural gas supply for electric generation has been curtailed. (b) If so, identify all attempts the system has made to prevent such curtailment or to obtain alternative supplies. (c) Provide copies of all documents relating to the answer to this interrogatory.

142A. Do you contend that any conduct by Applicant contributed in any way to curtailment of the system's natural gas supply? If so, state the factual circumstances supporting this contention.

142B. Do you contend that Applicant's natural gas supply is the result of its exercise of its asserted monopoly power? If so, state the factual circumstances supporting this contention.

142C. Provide all documents relating to the responses to interrogatories 142A and 142B.

142D. (a) Describe in detail the City's activities concerning acquisition of natural gas supplies during the designated period. (b) Was City ever offered, or did the City consider the possibility of, direct purchase of natural gas from a producer? If so, describe such offer and/or consideration in detail. (c) Was City ever offered, or did

City consider the possibility of obtaining from any operator of a natural gas pipeline a contract for the transportation of natural gas? If so, describe such offer and/or consideration in detail. (d) Provide all documents relating to the response to this interrogatory.

142E. Has the City ever contracted for interruptible natural gas service? At the time it entered into such contract(s), was the alternative of contracting for non-interruptible service available to it? Describe the City's consideration and ultimate rejection of the alternative. Identify all persons who played any role, in the City's consideration of this alternative. Provide all documents relating to the response to this interrogatory.

143. (a) Is it your position that individual oil-fired units are characterized by economies of scale? (b) If so, what size oil-fired unit do you contend yields the lowest cost?

144. For the following individual oil-fired generating unit sizes, state your understanding of the general relationship between the investment cost per kilowatt of capacity for the various size units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts
- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

145. For the following individual oil-fired generating unit sizes, state your understanding of the general relationship between the operating costs per kilowatt of capacity for the various size units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts
- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

146. Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answer to Interrogatories 143 through 145.

147. (a) Is it your position that economies are achieved by installing more than one oil-fired generating unit in a single generating plant? (b) If so, provide your estimates of the relative costs per kilowatt of capacity for one-unit, two-unit, three-unit and four-unit plants. (c) Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answer to this interrogatory.

148. (a) Is it your position that individual coal-fired generating units are characterized by economies of scale? (b) If so, what coal-fired unit do you contend yields the lowest cost?

149. For the following individual coal-fired generating unit sizes, state your understanding of the general relationship between the investment cost per kilowatt of capacity for the various size

units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts
- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

150. For the following individual coal-fired generating unit sizes, state your understanding of the general relationship between the operating cost per kilowatt of capacity for the various size units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts
- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

151. Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answers to Interrogatories 148 through 150.

152. (a) Is it your position that economies are achieved by installing more than one coal-fired generating unit in a single generating plant? (b) If so, provide your estimates of the relative costs per kilowatt of capacity for one-unit, two-unit, three-unit

and four-unit plants. (c) Provide copies of the documents prepared by or for the City or upon which the City relies that support or relate to the answer to this interrogatory.

153. (a) Is it your position that individual gas-fired generating units are characterized by economies of scale? (b) If so, what size gas-fired unit do you contend yields the lowest cost?

154. For the following individual gas-fired generating unit sizes, state your understanding of the general relationship between the investment cost per kilowatt of capacity for the various size units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts
- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

155. For the following individual gas-fired generating unit sizes, state your understanding of the general relationship between the operating cost per kilowatt of capacity for the various size units:

- (a) 50 megawatts
- (b) 100 megawatts
- (c) 200 megawatts
- (d) 400 megawatts
- (e) 600 megawatts

- (f) 800 megawatts
- (g) 1,000 megawatts
- (h) 1,200 megawatts

156. Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answers to Interrogatories 153 through 155.

157. (a) Is it your position that economies are achieved by installing more than one gas-fired generating unit in a single generating plant? (b) If so, provide your estimates of the relative costs per kilwatt of capacity for one-unit, two-unit, three-unit, and four-unit plants. (c) Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answer to this interrogatory.

158. (a) Is it your position that coal-fired generation is not an economically viable alternative source of electric generation in Florida? (b) If so, state the basis for your position.

159. (a) Is it your position that oil-fired generation is not an economically viable alternative source of electric generation in Florida? (b) If so, state the basis for your position.

160. (a) Is it your position that gas-fired generation is not an economically viable alternative source of electric generation in Florida? (b) If so, state the basis for your position.

161. (a) Provide copies of all documents prepared by or for the City or upon which the City relies that support or relate to the answer to Interrogatories 153 through 155.

162. (a) Describe specifically the nature and extent of all competition for retail sales and/or customers that is now taking

place, or has in the past taken place, or both, between the City and any electric utility. (b) Identify the specific sales and/or customers involved in each such instance, including in such identification the type of customer and/or sale involved (i.e., residential, industrial user, etc.) and the rate schedule applied (or proposed to be applied) by the City to such sale and/or customer. (c) Provide copies of all documents related to the answer to this interrogatory.

163. Is it your contention that you were, are, or expect to be in actual or potential competition with Applicant or any other electric utility for any retail customer(c) or sale(s) (past, existing, or new) located or locating within (a) the area currently served by the City? (b) the corporate limits of the City? (c) areas into which the City currently plans or contemplates extending its electric service? (d) areas formerly, but not presently, served with electricity by the City?

164. As to each instance of actual or potential competition referred to in response to Interrogatories 157 and 158, state (a) the type(s) and/or classification(s) of customer(s) or sale(s) involved (i.e., industrial user, residence, etc.), (b) the rate schedule or tariff applied by the City to such sale(s) or customer(s), (c) the identity of the electric utility involved in such instance, (d) the number of such customers or sales involved in such instance, broken down by classification of sale or customer (i.e., industrial, residential, etc.)

165. (a) Describe specifically the nature and extent of all competition for wholesale sales and/or customers that is now taking

place, or has in the past taken place, or both, between the City and any electric utility. (b) Identify the specific sales and/or customers involved in each such instance, including in such identification the type of customer and/or sale involved and the rate schedule applied (or proposed to be applied) by the City to such sale and/or customer. (c) Provide copies of all documents related to the answer to this interrogatory.

166. Is it your contention that you were, are, or expect to be in actual or potential competition with Applicant or any other electric utility for any wholesale customer(s) or sale(s) (past, existing, or new) located or locating within (a) the area currently served by the City? (b) the corporate limits of the City? (c) areas into which the City currently plans or contemplates extending its electric service? (d) areas formerly, but not presently, served with electricity by the City? (e) Any other areas?

167. As to each instance of actual or potential competition referred to in response to Interrogatories 160 and 161, state (a) the type(s) and/or classification(s) of customer(s) or sale(s) involved, (b) the rate schedule or tariff applied by the City to such sale(s) or customer(s), (c) the identity of the electric utility involved in each instance, (d) the number of such customers or sales involved in such instance, broken down by classification of sale or customer.

168. (a) Is it your contention that Applicant is a potential competitor of the City in that it may acquire, by sale or lease, the City's electrical facilities and thereby supplant the City as the sole or the primary electric supplier in any area currently being

served with electricity by the City? If so, please state (1) the exact procedure and steps which would be necessary, from the standpoint of the City, in order for Applicant to so acquire such facilities, and (2) the basis of your contention that Applicant is a potential competitor of the City in this regard. (b) Provide copies of all documents indicating or tending to indicate any consideration, discussion or study, by either the City, Applicant, or any other entity, of such a possible or potential acquisition.

169. (a) Is it your contention that Applicant is now, has been during the designated period or will be in the future, in actual or potential competition with the City, or with any electric utility having electrical facilities within or bordering on an area served with electricity by Applicant, for customers which may locate in an area served with electricity by one party or the other or by a third party? (b) If so, state (1) whether such competition is now occurring, (2) whether such competition occurred in the past, and if so, when, (3) whether such competition is expected to occur in the future, (4) whether such competition is actual or potential, (5) the identities of the electric utilities involved, (6) the type(s) and/or classification(s) of customers or sales involved, including the number of sales or customers within each such type or classification, and (7) the rate schedule or tariff applicable to each such type or classification of customer as to each electric utility. (c) As to each instance of competition in the past, state the number of sales or customers, broken down by classification or type (i.e., industrial user, residence, etc.) who were within the scope of such competition and who are now served by Applicant. (d) As to each instance of competition in the past, state the number of sales or customers,

broken down by classification or type (i.e., industrial user, residence, etc.) who were within the scope of such competition and who are now served by the City. (e) As to each instance of competition in the past, state the number of sales or customers, broken down by classification or type (i.e., industrial user, residence, etc.) who were within the scope of such competition and who are now served by any other electric utility. (f) Provide copies of all documents relating to the answers to this interrogatory.

170. (a) Is it your contention that Applicant and City are in actual or potential competition by providing, each for the other, a "yardstick" or measure or standard of performance which affects the other? (b) If so, state (1) in what areas this standard of performance exists (i.e., cost of service to residences, reliability of service, etc.) (2) in what geographical areas (if less than all of the area served by each) this competition exists, (3) the basis for your contention that Applicant and City are thereby in actual or potential competition, (4) whether such competition is actual (as opposed to potential), and (5) what actions, decisions or deliberations by the City and within the designated period reflect, indicate or tend to indicate the existence and extent of such competition. (c) Provide copies of all documents relating to the answer to this interrogatory.

171. Identify all expert witnesses who may testify in regard to each subject referred to in Interrogatories 158 through 165 inclusive.

172. Does the City now, or has it at any time during the designated period, offered any inducement to any customer or class

of customers, existing or potential, which inducement is not reflected, or is not accurately and clearly reflected, in the rate schedule or tariff applicable to such customer or class of customers? As used in the preceding question, the term "inducement" includes, but is not limited to (a) waiver or reduction of extension, hookup, undergrounding or other charges associated with the commencement or improvement of service, (b) rates for other municipal utility services (including, but not limited to, water, sewer and garbage services) which are new, are different from those charged the majority of customers of such service(s), or are applicable only to a particular small class of customers, or related in any way to electric service (e.g., applicable to all-electric customers) or to geographical location of such customer, (c) favorable tax treatment as compared to others in the same or a similar situation except for the source of their electricity, (d) electrical facilities or services (such as dual feeds) not available to the City's customers generally, or available only to a particular small class of customers or related to geographic location, (e) providing of engineering services at a reduced rate or without charge, and (f) capital or capital facilities provided as a result of municipal financing (e.g., sale of bonds which would be classified as industrial development bonds under Section 103(c) of the Internal Revenue Code except for the applicability of one of the exemptions contained therein).

173. (a) Has the City even withheld, or failed, neglected or refused to extend any other municipal utility service to any existing or potential customer of such utility service who either

(1) was not then receiving electrical service from the City despite its availability, or (2) was then receiving electrical service from the City and had indicated, in any manner whatsoever, a desire, intent, or plan to discontinue receiving electrical service from the City and commence receiving electrical service from some other electric utility, or (3) was not then receiving electrical service from the City and had indicated, in any manner whatsoever, a desire, intent or plan not to take such electrical service from the City. (b) Has the City ever threatened, implied, or suggested any such withdrawal or refusal to extend service to any such customer, or discussed, deliberated or considered so doing, or adopted any informal policy or course of conduct of so withdrawing or refusing to extend such services under such conditions?

174. If your answer to any part of Interrogatory 173 is affirmative, state: (a) what other municipal service(s) were involved, (b) whether the City in fact withheld or failed, refused or neglected to extend such other service in such situation(s), (c) whether the City threatened, implied or suggested any such withdrawal or refusal to extend such services, (d) whether the City discussed, deliberated or contemplated the adoption of a policy or course of conduct of withdrawing or refusal to extend such service(s) in such situation(s), (e) whether there was any such informal policy of course of conduct, (f) the identity of each customer to whom the affirmative answer to Interrogatory 173 would apply, (g) the identity of the entity supplying electrical service to each customer identified in response to subsection (f) of this interrogatory on a date one year after the action (or if more than one action, the last of such

actions) was taken which resulted in such customer being within the class to whom an affirmative answer to Interrogatory 173 would apply. (h) Provide copies of all documents relating to your answers to Interrogatories 172 and 173 and to the preceding subsections of this interrogatory, including specifically, and not by way of limitation, all documents relating to any policies that are now in effect and/or have been in effect in the designated period relating to the availability of electric, water and sewer services, respectively and collectively.

175. Provide copies of all documents exchanged between the City's electric department or division and the City's water and/or sewer department or division (or among these entities) during the designated period relating to initiation of any service by any of these departments or divisions to new customers.

176. Provide all documents relating to media advertising, direct mailing (through bills or otherwise) and personal contacts of any kind, either by the City or by or on behalf of any unofficial organization or entity (including, but not limited to, citizen's committees, freeholders' committees, public educational groups, and associations or organizations of municipal electrical groups, and associations or organizations of municipal electrical utilities) which were intended to, or would tend towards, (a) inducing customers to purchase electricity from the City rather than from some other electric utility, (b) informing or advising customers and/or citizens of the desirability and merit of creating or continuing with an electric system owned and/or operated by the City as opposed to allowing or permitting another electric utility to provide electric

service within the area served with electricity by the City or within the municipal corporate limits, by acquisition, purchase, or lease of the City's electric facilities, or by franchise, or otherwise, and (c) inducing electric customers to increase, reduce or modify in any other way the pattern of their electric consumption.

177. (a) Describe in detail any change in the municipal limits of the City, by annexation, consolidation or otherwise, which has taken place during the designated period. (b) Provide copies of all documents, including statutes or charter amendments, relating to the answer to this interrogatory.

178. (a) If there have been no actual changes in the municipal limits of the City by annexation, consolidation or otherwise, state whether there have been any significant efforts by any person or group directed toward these changes, or any referendum with reference thereto. (b) If so, describe the nature of each such effort and/or referendum, and the results or present status of same. (c) Provide copies of all documents relating to the answer to this interrogatory.

179. (a) State whether there is presently pending any effort, movement, or referendum with respect to changes in the municipal limits of the City by annexation, consolidation or otherwise. (b) Provide all documents relating to the answer to this interrogatory.

180. (a) Describe in detail any significant efforts by any person or group with respect to consolidation of the City with the county in which it is located or with any other local governmental unit during the designated period. (b) Provide copies of all documents,

including statutes or charter amendments, relating to the answer to this interrogatory.

181. (a) State whether there have been any statutory or charter changes during the designated period with respect to the power or jurisdiction of the City to regulate or operate electric utilities. (b) Provide copies of all documents relating to the answer to this interrogatory.

182. (a) State whether there have been any reports, studies or other evaluations made by or for the City during the designated period regarding the power or jurisdiction of the City or of any other governmental unit or agency to regulate or operate electric utilities. (b) Provide copies of all documents relating to the answer to this interrogatory.

183. (a) Describe in detail each expansion or contraction of the City's service area and/or transfer of sales or customers between the City and another electric utility involving 25 or more customers (or more than 500 KW load), the classification and number of customers affected, and the annual kilowatt-hour sales to such customers. (b) Provide copies of all documents relating to the answer to this interrogatory.

185. (a) Describe in detail the consideration which any City has given during the designated period to establishment of a municipally-owned electric system in any municipality which does not at this time own or operate its own electric system. (b) Describe any studies or evaluations which have been performed by or for any City, or are in the possession or control of the City, with respect to establishing a municipally-owned electric system. (c) Identify each step of legislative, legal, executive, administrative or governing

board consideration, recommendation and action that has been taken to date in connection with the possibility of establishing a municipally-owned electric system in a municipality which does not at this time own or operate its own electric system. (d) Provide copies of all documents relating to the answers to this interrogatory.

186. (a) Identify each of the current and past "acquisition attempts" which you contend are relevant to this proceeding. (b) As to each such attempt, identify (1) the date on which each began, (2) the date on which it ended, (3) who initiated it, (4) what type was it (sale, lease, other), and (5) the result of each such attempt.

187. As to each "acquisition attempt" identified in your response to Interrogatory 186, provide copies of all documents relating to (a) communications between Applicant and the City or non-intervening municipality involved, (b) consideration by the City or non-intervening municipality of the desirability of discussing the possibility of acquisition with Applicant, and (c) the City's or non-intervening municipality's evaluation, consideration and disposition of any feeler or offer extended by Applicant, or by the City or non-intervening municipality to Applicant. Include all documents related to efforts to influence or inform members of any municipal governing body or the electorate of any municipality.

188. (a) As to each "acquisition attempt" identified in your response to Interrogatory 186 describe in detail the procedures (including any statutory or charter changes) which would have been required to be completed in order for an acquisition to be consummated and state as to each procedural step whether it was partially or wholly completed. (b) Provide copies of all documents relating to

your answer to this interrogatory.

189. (a) It is contended that any of the identified "acquisition attempts" is, was, would have been, or would be inconsistent with any of the antitrust laws. (b) If so, specify the antitrust law or laws, and the basis for your contention.

190. (a) If the answer to Interrogatory 189 is affirmative, is it contended that such inconsistency is based solely upon (1) any such completed acquisition, (2) any such attempted acquisition, or (3) a combination of (1) and (2) but in the absence of any other act or acts or course of conduct? (b) If not, with what other act or acts or course of conduct do you contend the "acquisition attempts" should be viewed in order to establish any such inconsistency? (c) Provide copies of all documents relating to your answer to this interrogatory.

191. (a) Is it contended that any of the identified "acquisition attempts" is inconsistent with Section 7 of the Clayton Act? (b) If so, specify as to each such "acquisition attempt," (1) the product and geographical markets which you contend are relevant to this contention, (2) the line or lines of commerce you contend are affected, and (c) the alleged effect or effects on competition in each such line of commerce. (c) Identify all expert witnesses who may testify in regard to the subject matter of this interrogatory.

192. (a) Is it contended that any of the identified "acquisition attempts" is inconsistent with Section 5 of the Federal Trade Commission Act? (b) If so, state the basis of your contention as to each such "acquisition attempt." (c) Identify all expert witnesses who may testify in regard to the subject matter of this interrogatory.

193. Which of the "acquisition attempts" previously identified in these interrogatories are "current efforts" of Applicant as those words are used on page 62 of the Joint Petition?

194. Provide copies of all documents, if any, relating to the "conditions" described on page 62 of the Joint Petition with respect to Applicant's offer to sell emergency power to New Smyrna Beach in 1958.

195. Define "appropriate interconnection and interchange contract" as used in footnote 1 on page 63 of the Joint Petition.

196. Is it your position that Applicant and the Florida Power Corporation are now engaged in any contract, combination or conspiracy (or other form of concerted action) relating to

(a) division of territory for wholesale electrical sales and purchases (including interconnection and interchange agreements), or

(b) refusal to interconnect and/or deal with other electric utilities except on the basis of terms assigning exclusive territories for

- (1) wholesale electrical sales,
- (2) retail electrical sales, or
- (3) both

between the parties to such interconnection.

197. If the answer to any part of Interrogatory 196 is affirmative, state

(a) the date on which such contract, combination or conspiracy commenced,

(b) the geographical area(s) covered by the terms of such combination, contract or conspiracy,

(c) the identity of the persons involved on the part of each of the companies alleged to be parties to such contract,

combination, or conspiracy,

(d) the identity of any person, other than those named in the preceding subsection of this interrogatory, having knowledge of such contract, combination or conspiracy, or of any factual matter relating thereto,

(e) whether petitioners, or any one of them, are or were affected by such combination, contract or conspiracy, and if so, how such petitioner(s) are or were affected,

(f) the terms of such conspiracy, contract or combination, and

(g) all acts and/or failures to act which it is claimed are part of such combination, contract or conspiracy.

(h) Provide copies of all documents relating in any way to the answers to this interrogatory and each of its subsections.

199. Is it your contention that Applicant and any other electric utility, other than Florida Power Corporation, are now engaged in any contract, combination, or conspiracy (or other form of concerted action) relating to

(a) division of territory for wholesale electrical sales and purchases (including interconnection and interchange agreements), or

(b) refusal to interconnect and deal with other electric utilities except on the basis of terms assigning exclusive territories for

(1) wholesale electrical sales,

(2) retail electrical sales, or

(3) both

between the parties to such interconnection?

200. If the answer to any part of Interrogatory 199 is affirmative, state

(a) the date on which such contract, combination or conspiracy commenced,

(b) the geographical area(s) covered by the terms of such contract, combination or conspiracy,

(c) the identity of the utility and of the persons involved on the part of each of the companies alleged to be parties to such contract, combination or conspiracy,

(d) the identity of any person, other than those named in the preceding subsection of this interrogatory, having knowledge of such contract, combination or conspiracy, or of any factual matter relating thereto,

(e) whether petitioners, or any of them, are or were affected by such contract, combination or conspiracy, and if so, how such petitioner(s) are or were affected,

(f) the terms of such contract, combination or conspiracy,

(g) all acts and/or failures to act which it is claimed are part of the said contract, combination or conspiracy.

(h) Provide copies of all documents relating in any way to the answers to this interrogatory and any of its subsections.

202. Is it your position that Applicant and the Florida Power Corporation were at one time engaged in a contract, combination or conspiracy (or other form of concerted action) relating to the matters set forth in Interrogatory 187 above, which contract

combination or conspiracy was dissolved prior to this date?

203. If the answer to any part of Interrogatory 202 is affirmative, state

(a) the date on which such contract, combination or conspiracy commenced,

(b) the date on which such contract, combination or conspiracy terminated,

(c) the geographical area(a) covered by the terms of such contract, combination or conspiracy,

(d) the identity of the persons involved on the part of each of the companies all get to be parties to such contract, combination or conspiracy,

(e) the identity of any person, other than those named in the preceding subsection of this interrogatory, having knowledge of such contract, combination or conspiracy, or of any factual matter relating thereto,

(f) whether petitioners, or any of them, are or were affected by such contract, combination or conspiracy, and if so, how such petitioner(s) are or were affected,

(g) the terms of such contract, combination or conspiracy, and

(h) all acts and/or failures to act which it is claimed are part of the said contract, combination, or conspiracy.

(i) Provide copies of all documents relating in any way to the answers to this interrogatory and any of its subsections.

205 . Is it your contention that Applicant and any other electric utility, other than the Florida Power Corporation, were at

one time engaged in any contract, combination or conspiracy (or other form of concerted action) relating to the matters set forth in Interrogatory 186 above, which contract, combination or conspiracy was dissolved prior to this date?

206. If the answer to any part of Interrogatory 205 is affirmative, state

(a) the date on which such contract, combination or conspiracy commenced,

(b) the date on which such contract, combination or conspiracy terminated,

(c) the geographical area(s) covered by the terms of such contract, combination or conspiracy,

(d) the identity of the other utility and of the persons involved on the part of each of the companies alleged to be parties to such contract, combination or conspiracy,

(e) the identity of any person, other than those named in the preceding subsection of this interrogatory, having knowledge of such contract, combination or conspiracy, or of any factual matter relating thereto,

(f) whether petitioners, or any of them, are or were affected by such contract, combination or conspiracy, and if so, how such petitioner(s) are or were affected,

(g) the terms of such contract, combination or conspiracy,

(h) all acts and/or failures to act which it is claimed are part of the said contract, combination or conspiracy.

(i) Provide copies of all documents relating in any way to the answers to this interrogatory and any of its subsections.

218. (a) Identify each agreement to which any City is a party (or to which any City was a party if such agreement is no longer in effect) which relates in any manner to the geographical area served by such City with wholesale or retail electrical service, or which relates to the transfer of sales and/or customers at wholesale or retail between or among the City and any other electric utility. (b) As to each such agreement, state

(1) the date thereof,

(2) the identity of the parties to such agreement,

(3) the identity of each individual signing such agreement,

(4) the geographical area covered by the terms of such agreement, or if no geographical area is covered by such agreement, the identity of each sale and/or customer within the scope of such agreement,

(5) the length of time for which such agreement purports to be effective, and the effective date thereof,

(6) the identity of any person having knowledge of the facts surrounding the execution of such agreement and/or the extent of compliance or non-compliance with such agreement by the parties thereto,

(7) whether such agreement was submitted to the Florida Public Service Commission, or its predecessors, for approval, ratification or acquiescence, and if so,

(i) the date of any action thereupon by the Florida Public Service Commission or its predecessors,

(ii) the means by which such action was taken, and

(iii) the docket number of the proceeding in which such action was taken.

(c) Provide copies of all documents relating in any way to the answers to this interrogatory and any of its subsections.

219. Define what is meant by the term "fully integrated pool arrangement" on page 70 of the Joint Petition. Include in your explanation responses to the following questions: (a) What does "integrated" mean in this context? (b) What does "fully" mean in this context? (c) What considerations would determine prices for sales and exchanges of power and/or energy? (d) Describe in detail how the parties to such an arrangement would share the costs and benefits of constructing and maintaining generating capacity? (e) How and by whom would decisions regarding installation of new, and retirement of old, generation and transmission facilities be made?

220. (a) Provide copies of all documents related to your answer to Interrogatory 219. (b) Furnish a list of "fully integrated pool arrangements" as defined in your response to Interrogatory 219, and all members of such pools.

221. (a) Has the City prepared or caused to be prepared any study or evaluation of the economic effect to the City and/or to the other members of participation by the City in a power pool. (b) Identify all utilities whose inclusion in such a power pool was or is contemplated. (c) Provide copies of all documents relating to your answer to this interrogatory.

222. Identify any expert witnesses who may testify regarding the substance of Interrogatories 219 through 221.

223. (a) Is it contended that any City has offered to participate or has otherwise indicated an interest in participating in a "fully integrated pool arrangement" with Applicant and/or with any other utility. (b) If so, state the date on which such offer was made, the name of the person making the offer, the name of the person to whom the offer was communicated, and describe the form (letter, oral statement, telephone conversation) of communication. (c) Provide copies of all documents related to your answer to this interrogatory.

224. (a) Describe each statement, act, and failure to act which supports the allegation that Applicant "is unwilling to enter into a fully integrated power pool arrangement . . ." (Joint Petition, p. 70). (b) Provide copies of all documents relating to your answer to this interrogatory.

225 (a) Is it contended that Applicant would benefit economically or otherwise from participation in a "fully integrated pool arrangement?" (b) If so, state the basis of your contention. (c) Provide copies of all documents related to your answer to this interrogatory. (d) Identify any expert witness who may testify regarding the substance of this interrogatory.

226. Provide copies of all documents relating to the effect on Applicant of participation in a "fully integrated pool arrangement."

227. No interrogatory by this number.

228. (a) Identify any and all of Cities' alternatives which are adversely "affected by FPL's refusal" to enter into an integrated power pool" (Joint Petition, p. 12). (b) Provide copies of all documents relating to your answer to this interrogatory.

230. (a) Do you contend that Applicant is able to prevent some or all systems outside of its service area from participating in a power pool? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to your answer to this interrogatory.

231. (a) Do you contend that Applicant is able to prevent some or all systems inside its service area from participating in a power pool. (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

232. (a) Provide copies of each item of proposed legislation relating to electric utility matters that you contend Applicant has directly opposed, or has opposed through any person or organization. (b) Describe in detail the circumstances surrounding the development, introduction, consideration and action with respect to each such item of proposed legislation. (c) Provide copies of all documents relating to your answer to this interrogatory, including any legal or other evaluation or analysis of each item of proposed legislation.

233. (a) Describe in detail the action or actions which you contend Applicant took in opposing each of the items of legislation listed in the response to Interrogatory 210. Be specific as to the identity of the employee or representative of Applicant who is alleged to have participated in each such action and as to dates, times, places, and contexts of each such action. (b) Provide copies of all documents relating to your answer to this interrogatory.

234. (a) Describe in detail all actions taken by the City, directly or through any individual, or organization, related to each item of proposed legislation listed in the response to Interrogatory 232. Be specific as to the identity of the official or representative of the City who participated in each such action and as to dates, times, places and contexts of each such action.

(b) Provide copies of all documents relating to your answer to this interrogatory.

235. (a) Describe in detail the anticipated effect on Applicant and on all other utilities of each item of legislation identified in Interrogatory 232 if enacted. (b) Provide copies of all documents relating to your answers to this interrogatory, including any legal or other evaluation or analyses of the anticipated effect on Applicant and on all other utilities of each item of proposed legislation, if enacted.

236. (a) Describe in detail each action taken by each City during the designated period relating to the introduction, consideration or enactment by state or federal legislative or administrative bodies of legislation, constitutional amendments, charter amendments, resolutions, or rules and regulations relating to any of the following: (1) coordination, cooperation or joint action between and among utilities, (2) electric service territory, including the power of local government entities to provide, to grant, or to withhold franchises to others, and to provide electric service within and without municipal corporate limits (including so-called "stay-put" legislation), (3) electric reliability, (4) eminent domain as applied to utility matters, (5) tax status of political subdivisions of states, cooperatives, and/or of investor owned utilities.

(b) Provide copies of all documents relating to the answer to this interrogatory.

237. Do you now contend that Applicant can prevent the passage of state legislation that will authorize joint ventures among municipal and other electric systems? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

238. (a) State if lobbying activities or efforts to secure the passage of legislation favorable to the electric operations of the City are taken by the City or any organization of which the City is a member or affiliate. (b) Identify those representatives. (c) What is the City's current annual budget for such activities? (d) Provide copies of all documents describing the nature of such activities (e.g., specific contacts made, expenditures, etc.).

239. (a) Is it your contention that Applicant is responsible for a "tying arrangement", which is inconsistent with the antitrust laws? If so, identify each such "tying arrangement", and state specifically each provision of an antitrust law with which such claimed "tying arrangement" is alleged to be inconsistent.

240. With respect to each "tying arrangement" identified in your response to Interrogatory 217, identify (a) the "tying" product, and (b) the "tied" product.

241. With respect to each "tying" and "tied" product identified in your response to Interrogatory 218, identify the following:

(a) the nature and characteristics of the "tying" product which make its market characteristics so attractive as to give it

an ability to "tie" other products,

(b) whether the "tying" product could be marketed separately from the "tied" product,

(c) whether the "tied" product could be marketed separately from the "tying" product,

(d) whether any other utility separately markets the "tying" and "tied" products, and, if so, the identity of such other utility,

(e) whether the City can obtain the "tying" product from any other utility without being required to obtain the "tied" product, and, if so, the identity of each such supplier,

(f) whether Applicant provides the "tying" and "tied" products under separate rate schedules or tariffs,

(g) whether any other utility provides the "tying" and "tied" products under separate rate schedules or tariffs and, if so,

(1) the identity of such other supplier, and,

(2) the identifying characteristics of such rate schedules or tariffs,

(h) what you contend to be the relevant geographical market and/or submarkets with respect to this alleged situation inconsistent with the antitrust laws.

242 .. Explain the basis for your contention that each type of alleged "tying arrangement" is inconsistent with some provision(s) of the antitrust laws.

243. Identify specifically each document, oral statement, action, and failure to act which is claimed supports your responses to Interrogatories through , specifying the date thereof, the identity of each person involved in such action and failure to act, the identity of each and every person making or hearing any

oral statement, the time and place of each such oral statement and every other known identifying characteristic of any related document.

244. Provide copies of all documents relating to your answer to Interrogatories 206 through 209.

245. (a) Do you contend that, during the designated period, the City has requested any electric utility to provide to the City or any non-intervening municipality separately the "tied" and/or "tying" products identified in response to Interrogatory 207?

(b) If so, and to the extent not identified or provided in response to any of the preceding interrogatories, furnish the following information, describe each such request and applicant's response thereto and (1) name and title of the person making the request, (2) form of request (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the request was made, (3) date of request, (4) person to whom request was addressed, (5) name of person who responded to request, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, (8) date of response and (9) if oral, the content of such response.

(c) Provide copies of all documents relating to the answer to this interrogatory.

245A. (a) If the answer to Interrogatory 245 is negative, has the City during the designated period ever considered requesting any electric utility to provide separately the "tied" and/or "tying" products identified in response to Interrogatory 207? (b) If so, state the reason why such request was not communicated to any

electric utility. (c) Provide copies of all documents relating to the response to this interrogatory.

246. Define "statewide market for wholesale bulk power supply services" as used on page 54 of the Joint Petition in Florida Power & Light Company (South Dade Plant) Docket No. P-636A, April 14, 1976. Include a specific description of all types of transactions which are included within this market.

247. Identify which "submarkets for wholesale bulk power supply services may exist or be established." (Joint Petition, Docket P-636A, p. 58.)

248. The Joint Petition in Docket No. P-636A, (pp. 54-58) states the relevant market is a "market for wholesale bulk supply services" and that the relevant geographical market is the State of Florida "possibly excluding Gulf Power Company." (a) State the basis for the contention that these markets are relevant to this proceeding. (b) Provide copies of all documents relating to the answer to this interrogatory.

249. (a) Is it contended that any other product or geographical market or submarket is relevant to this proceeding? (b) If so, identify each specifically and state the basis for your contention. (c) Provide copies of all documents related to the answer to this interrogatory.

250. (a) Identify the geographical market which you contend is relevant to this proceeding by reference to services areas, counties or other appropriate delineation. (b) Provide a map showing the information requested in subsection (a) of this interrogatory.

251. (a) Do you contend that "Gulf Power Company" should be excluded from the relevant geographical area in this proceeding? (b) If so, state the basis for your contention. (c) Provide copies of all documents relating to the response to this interrogatory.

252. Identify each expert witness who may testify in connection with your contentions regarding the relevant product and geographical markets.

253. Provide copies of all documents which were "presented by the Public Service Commission to the Florida House Committee on Energy and Growth" and which were "distributed at the October 22, 1975 meeting of the System Planning Committee of the Florida Electric Power Coordinating Group." (Joint Petition, Docket No. P-636A, p. 54).

254. Define "statewide pooling arrangements" as used on page 55 of the Joint Petition, Docket P-636A.

255. What is your understanding of the term "monopoly power" as used in the Joint Petition, Docket P-636A?

256. Is it your contention that Applicant has monopoly power in any relevant markets? If so, state as to each such relevant market:

(a) the line of commerce involved (product market) and the geographical bounds of such market (geographical market),

(b) the extent, in percentage terms, of Applicant's participation in such market, and

(c) the extent, in percentage terms, of each and every other utility's participation in such market.

257. (a) State whether it is your contention in this proceeding that Applicant's power in each or any relevant market(s)

was obtained other than by historical accident or superior business acumen or efficiency or whether it was obtained wrongfully in any respect.

(b) If so, state the basis of your contention, and provide all documents relevant to your response.

258. (a) If your answer to Interrogatory 224 is affirmative, is it your contention that Applicant has exercised or attempted to exercise that monopoly power in some manner resulting in injury to competition?

(b) If so, describe in detail each such exercise or attempted exercise of monopoly power and state (1) the date(s) thereof, (2) the product markets and geographical market(s) involved, (3) the competitor or potential competitor involved, (4) the precise means by which such exercise of monopoly power was effecuated, and (5) the identity of all persons having knowledge regarding your response to this interrogatory and each of its subparts.

(c) Provide copies of all documents relating in any manner to your response to this interrogatory or any of its subparts.

259. (a) If your answer to Interrogatory 236 is affirmative, is it your contention that Applicant has injured competition by having a specific intent or purpose to exercise such monopoly power in any instance?

(b) If so, describe in detail each such instance of intent or purpose to exercise monopoly power and state: (1) the date(s) thereof, (2) the product market(s) and the geographical market(s) involved, (3) the precise means by which such alleged intent was manifested, and (4) the identity of all persons having any knowledge regarding your response to this interrogatory or any of its subparts.

(c) Provide copies of all documents relating in any manner to your response to this interrogatory or any of its subparts.

260. (a) If your answer to either Interrogatories 258 or 259, or both, is affirmative, state the basis of your contention.

261. Identify all expert witnesses who may testify in regard to each subject referred to in Interrogatories 223 through 228, inclusive.

262. (a) Is it your contention that Applicant has even attempted to obtain monopoly power in any relevant market, other than as referred to in your response to Interrogatory number 229.

(b) If so, describe in detail each such attempt and (1) the line of commerce involved (product market) and the geographical bounds of such market (geographical market), (2) the extent, in percentage terms, of Applicant's participation in such market now and at the time of such attempt, (3) the extent, in percentage terms of each and every other electric utility's participation in such market immediately prior to the time of such attempt, (4) the date(s) upon which such attempt to monopolize was commenced, (5) the date(s) upon which such attempt to monopolize was terminated, (6) the maximum percentage of Applicant's participation in such market between the dates specified in response to subsections (4) and (5) hereof, (7) the identity of each other electric utility then actually or potentially a competitor in such market, and the percentage of the market possessed by each such other electric utility in such relevant market (a) at present (b) on the date specified in your response to subsection (4) hereof, (c) on the date specified in your response to subsection (5) hereof, (d) on the date on which Applicant obtained

the extent of participation referred to in subsection (6) hereof, (8) the identity of every person having knowledge regarding your response to this interrogatory or any of its parts.

(c) Provide copies of all documents relating in any manner to your response to this interrogatory or any of its subparts.

263. Identify all expert witnesses who may testify in regard to each subject referred to in Interrogatory 230.

264. (a) Is it your contention that the acquisition, retention, possession, exercise, intent or attempt to exercise monopoly power referred to in your responses to Interrogatories 223-230, was included in, or was in any way aided by, any action of (1) the Florida Public Service Commission or its predecessors, (2) the Federal Power Commission, or (3) both of such bodies?

(b) If so, state as to each action of either such body which you contend was so included or so aided: (1) the name of the governmental unit involved, (2) the type of action by such body, (3) the date of such action, (4) the docket number of the proceeding in which such action occurred, and (5) the manner in which such action was used to so aid Applicant.

(c) Provide copies of all documents relating to the answer to this interrogatory.

265. (a) Is it your contention that Applicant possesses, in some relevant market, power which does not constitute monopoly power but which has legal consequences in this proceeding?

(b) If so, state as to each such relevant market (1) the line of commerce involved (product market) and the geographical bounds

of such market (geographical market), (2) the extent, in percentage terms, of Applicant's participation in such market, (3) the extent, in percentage terms, of each and every other electric utility's participation in such market, (4) whether it is your contention in this proceeding that Applicant's power in each or any relevant market(s) was obtained other than by historical accident or superior business acumen or efficiency or that it was obtained wrongfully in any respect.

(c) State the basis of your contention that Applicant's power in such market has legal consequences in this proceeding.

266. Identify all expert witnesses who may testify in regard to each subject referred to in Interrogatories 264 and 265.

267. Provide copies of all documents relating in any manner to your response to Interrogatories 264 and 265.

268. (a) Is it your contention that Applicant controls any scarce resource or vital facility necessary for the functioning of any electric utility?

(b) If so, state the basis for your contention, addressing specifically (1) the identity of such resource(s) or facility(s), (2) the manner in which such resource(s) or facility(s) is scarce or vital, (3) the manner in which Applicant controls such resource(s) or facility(s) (i.e., by ownership, long-term franchise, etc.), and (4) the manner in which Applicant has exercised such control as related to the accessibility of such resource(s) or facility(s) to other electric utilities and the terms of such access.

(c) Provide copies of all documents related to the response to this interrogatory.

269. Provide copies of each item of proposed legislation drafted by the FMUA Legislative Committee and referred to at page 1 of Mr. Fagan's affidavit.

270. (a) Identify each occasion during which representatives of FCG and FMUA "met together . . . to settle differences between the two proposals." (Fagan affidavit, p. 2). (b) Give the date of each such occasion and identify all persons in attendance. (c) Provide copies of all documents relating to each such occasion, including meeting notes, summaries and attendees lists.

271. (a) Identify the representatives of Applicant who were allegedly "vehement in their opposition to FMUA sponsored proposals to allow municipals to jointly finance such projects through creation of joint financing authorities designed to minimize costs and expenses and improve the saleability of bonds." (Fagan affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

272. (a) Identify each individual who allegedly "admitted that his company did not want to permit municipals to be able to improve their competitive position in the electric industry." (Fagan affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

273. (a) Identify the representatives of Applicant who allegedly "threatened to introduce legislation imposing taxes on municipal utilities unless their views and desires were agreed to." (Fagan affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

274 . (a) Identify the representatives of Applicant who allegedly "insisted on various amendments to 'water down' the ability of municipals to enjoy the benefits of joint ownership" and those "who insisted that FMUA withdraw from the proposed legislation any references to joint financing for municipals through

financing authorities to be participated in by municipals." (Fagan affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

275. Provide copies of the legislation which FMUA was "compelled to introduce" referred to on pages 2-3 of Mr. Fagan's affidavit.

279. (a) Provide a list of the type of arrangements which would be included in "otherwise" as that term is used on page 2, line 4, of Mr. Jablon's affidavit. (b) Provide copies of all documents relating to the response to this interrogatory.

280. (a) Describe the type of "legal, economic and engineering analyses" upon which the various participation arrangements would be dependent. (Jablon affidavit, p. 2). (b) Provide copies of all documents relating to the response to this interrogatory.

281. (a) Have any such analyses already been conceived, undertaken or completed? (b) For each analysis identified, state (1) date of preparation, (2) date of data used in the analysis, (3) author or authors by name, title, place of business, (4) entity for whom the analysis was prepared, (5) methodology of the analysis, and (6) summary of the conclusions. (c) Provide copies of all such analyses (at whatever stage of completion) referred to in subsection (a) above.

282. (a) Describe the coordinated planning, development and operation of power supply sources referred to in item (3) of the Florida Cities' requested relief. Between or among what entities would the coordination occur? (b) Identify and furnish copies of all documents relating to the response to this interrogatory.

283. (a) Define "equalized reserves" as used in the Cities' requested relief. (b) What is the source of the definition provided in response to subsection (a) of this interrogatory? (c) Provide copies of all documents relating to the answer to this interrogatory.

284. (a) Define "nondiscriminatory backup power supply arrangement," as used in the Cities' requested relief. (b) What is the source of the definition provided in response to subsection (a) of this interrogatory? (c) Provide copies of all documents relating to the answer to this interrogatory.

285. (a) Identify the "others" referred to in item (4) of the Cities' requested relief. (b) Provide copies of all documents relating to the answer to this interrogatory.

286. Describe the power pool participation rights that Florida Cities refer to in item (6) of the request for relief with respect to the participation of Florida Power & Light (i.e., Are Cities asking for participation in the pool on equal terms from Florida Power & Light or participation through Florida Power & Light?)

286A. (a) Define "fair and reasonable terms" with reference to wholesale power entitlements as used in item (5) of the request for relief.

287. (a) Identify the "statewide power pool" referred to in item (7) of Cities' requested relief. (b) Provide copies of all documents relating to the answer to this interrogatory.

288. (a) Define and describe "reasonable terms and conditions" with reference to access to Florida Power & Light's transmission system as used in the Cities' request for relief. (b) Provide copies of all documents relating to the definition and description given

in response to this interrogatory.

289. (a) What action on the part of Applicant would Cities consider appropriate "to facilitate" a joint transmission rate as requested in item (7) of Cities' request for relief? (b) Provide copies of all documents relating to the answer to this interrogatory.

290. (a) Define "joint transmission rate" as that term is used in item 7 of Cities' requested relief. (b) State whether (to your knowledge) such "joint transmission rates" presently exist elsewhere in the industry, have been requested by any electric utility, or have been or are the subject of a filing with any governmental agency. (c) Provide copies of all documents relating to the answer to this interrogatory.

290A. Do you contend that relief with respect to transmission short of the filing of a joint transmission rate would be inadequate to remedy the situation alleged to be inconsistent with the antitrust laws? If so, what are the bases and reasons for this contention?

291. (a) Identify the "others" referred to in item (7) of Cities' requested relief. (b) Provide copies of all documents relating to the answer to this interrogatory.

292. (a) What activities on the part of the Applicant would Cities consider as constituting "support for state legislation" as requested in item (8) of Cities' requested relief? (b) Provide copies of all documents relating to the answer to this interrogatory.

293. (a) Describe the nature of state legislation which would "implement and facilitate" the Cities' requested relief? (b) Provide copies of all documents relating to the answer to this interrogatory.

294. (a) Provide a list of the "other relief that may be appropriate" as referred to in item (10) of the Cities' requested relief. (b) Provide copies of all documents relating to the answer to this interrogatory.

295. (a) Do you contend, as item 2 of the documentary exhibits attached to Mr. Jablon's affidavit quotes PSC Chairman William Mayo as saying, that fossil fuel generation is "obsolete" today? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

296. (a) Do you contend that items 4 and 5 attached to Mr. Jablon's affidavit "demonstrate patterns of past anticompetitive conduct by Florida Power & Light"? (b) If so, do you contend that two pieces of correspondence constitute a "pattern" or are part of a "pattern"? (c) Provide copies of all documents, in addition to items 4 and 5 attached to Mr. Jablon's affidavit, supporting or relating to the "past patterns of anticompetitive conduct" by Applicant.

297. (a) Do you contend that items 4 and 5 attached to Mr. Jablon's affidavit demonstrate that Florida Power & Light has used "its dominant power to deny rights to Cities, such as purchase of wholesale power"? (b) If so, indicate what statements in the letters identified as items 4 and 5 constitute a denial of the Cities' right to wholesale power purchase. (c) Provide copies of all documents, in addition to items 4 and 5 attached to Mr. Jablon's affidavit, supporting or relating to the contention that Applicant has used "its dominant power to deny rights to Cities."

298. Indicate those sentences in Mr. Mulholland's letter (identified as item 8 of Mr. Jablon's exhibits) which are illustrative of "anticompetitive actions" on the part of Applicant.

299. (a) Describe the membership and functions of the Florida Power Coordinating Group (FCG). (b) Provide copies of all documents in the possession or control of each City relating to the FCG.

300. When and how FCG was first organized?

301. On what committees of the FCG and on what particular assignments have Applicant and Cities worked together?

Interrogatory Nos. 302 through 393 reference the affidavit of Harry C. Luff, Jr., Assistant General Manager of the Orlando Utilities Commission. Each City should answer all subsections of each of these interrogatories to the best of its knowledge. Each City should provide copies of the requested documents if any documents are in the possession or control of the City or counsel.

302. (a) Provide copies of the "various engineering studies performed by the [Orlando Utilities] Commission's consulting engineers, Black and Veatch" referred to on page 1 of Mr. Luff's affidavit, and of all correspondence, drafts, work papers, evaluation of such studies. (b) Identify each individual who participated in the direction, preparation or evaluation of such studies, and describe his or her role therein.

303. In comparison to what alternative generation sources did the Black and Veatch studies identified in response to Interrogatory 267 show nuclear capacity to be the lowest cost alternative?

304. (a) Is it your contention that nuclear capacity is the lowest cost generation source to construct? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

305. (a) Is it your contention that nuclear capacity is the lowest cost generation source to operate and maintain? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

306. (a) To whom is nuclear capacity "the lowest cost alternative generation source available"? (Luff affidavit, page 1) (b) Provide copies of all documents relating to the answer to this interrogatory.

307. (a) Define in quantitative terms the Orlando Utilities Commission's financial capability. (b) Provide copies of all documents relating to the answer to this interrogatory.

308. Identify and furnish the information on which Mr. Luff says (at page 2 of his affidavit) he basis his belief that the Orlando Utilities Commission must have access to nuclear power resources.

309. (a) In what specific and quantitative ways will Orlando Utilities Commission's competitive situation be "impaired" by a failure to obtain nuclear power resources? (Luff affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

310. (a) Identify the "other factors" apart from which a joint venture would be necessary for Orlando to participate in nuclear capacity. (Luff affidavit, p.2). (b) Provide copies of all documents relating to the answer to this interrogatory.

311. (a) Show the calculations and furnish all data necessary to duplicate those calculations performed to arrive at the \$900,000 annual reduction to Orlando's rate payers which will result from Orlando's 13 megawatt share in Crystal River #3. (Luff affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

312. (a) Identify those of Orlando's opportunities which will be "seriously impaired" if Orlando is excluded from nuclear capacity other than Crystal River #3. (Luff affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

313. (a) Describe the circumstances surrounding the "virtual cessation of natural gas deliveries" to Orlando referred to at page 2 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

314. (a) Define the time period denoted by "the short near term future." (Luff affidavit, p. 2) (b) Provide copies of all documents relating to the answer to this interrogatory.

315. (a) Do you contend that coal is not available to Orlando in the short near term future? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

316. (a) When do you expect coal to be available again to Orlando? (b) Provide copies of all documents relating to the answer to this interrogatory.

317. (a) What is the extent of coal resources in peninsular Florida and the adjacent Southeast? (b) Provide copies of all documents relating to the answer to this interrogatory.

318. (a) What is the extent of the "limited access" Orlando does have to coal as a generating resource? (Luff affidavit, p. 2). (b) Provide copies of all documents relating to this interrogatory.

319. (a) Define "reasonable costs" with reference to coal-fired generation. (Luff affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

320. (a) What are the environmental constraints to which coal plants are subject in Florida? (Luff affidavit, p. 2). (b) Provide copies of all documents relating to the answer to this interrogatory.

321. (a) Identify those electric utilities in Florida which do have access to hydroelectric generation. (b) Provide copies of all documents relating to the answer to this interrogatory.

322. (a) For those utilities listed in response to Interrogatory 321 give the percentage of generation and capacity which is provided by hydro for the most recent year available. (b) Provide copies of all documents relating to the answer to this interrogatory.

323. (a) At what price and from what sources is fuel oil currently available to Orlando? (b) Provide copies of all documents relating to the answer to this interrogatory.

324. (a) Define the time period denoted by "in recent years" as that phrase is used at page 2, line 38, of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

325. (a) Provide the data from which Mr. Luff was able to conclude at line 39, page 2 of his affidavit that fuel oil costs have risen more than threefold. (b) Provide copies of all documents relating to the answer to this interrogatory.

326. (a) What is the nature of the "present impairment of Orlando Utilities' ability to compete with Florida Power and Light"? (Luff affidavit, p. 2). (b) For how long has this "impairment" existed? (c) Provide copies of all documents relating to the answer to this interrogatory.

327. Define the "competitive conditions" referred to on the last line of page 2 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

328. (a) Define the phrase "support for municipal electric systems" in terms of its nature (i.e., financial, political, moral, etc.) and its source (i.e., investors, voters, customers, competitors, etc.) (Luff affidavit, pps. 2-3). (b) Provide copies of all documents relating to the answer to this interrogatory.

329. (a) Does the Orlando Utilities Commission supply wholesale electric power services? (b) Provide copies of all documents relating to the answer to this interrogatory.

330 . (a) With whom does Orlando Utilities Commission compete for wholesale electric power services in Florida?

(b) Provide copies of all documents relating to the answer to this interrogatory.

331 (a) In what specific and quantitative ways would the reduction of competition for wholesale power services "be unfortunate from the standpoint of ultimate consumers"? (Luff affidavit, p. 3). (b) Provide copies of all documents relating to the answer to this interrogatory.

332. Identify the "other systems" referred to at lines 5-6 of page 3 of Mr. Luff's affidavit.

333. (a) For each system identified in response to Interrogatory 332, characterize its financial condition.

334. (a) Define "bulk power sales, purchases and exchanges." (Luff affidavit, p. 3). (b) Provide copies of all documents relating to the answer to this interrogatory.

335. Provide copies of the "early engineering studies by Black and Veatch in the late '60s." (Luff affidavit, p. 3).

336. (a) Define "coordination" as used at line 10 of page 3 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

337. With reference to the term "larger generating units" used at line 11, page 3 of Mr. Luff's affidavit, identify larger than what.

338. (a) Define the time period denoted by "early years of operation of these larger units." (Luff affidavit, p. 3). (b) Provide copies of all documents relating to the answer to this interrogatory.

339. (a) Describe the nature of the "engineering recommendations" referred to at line 13 of page 3 of Mr. Luff's affidavit and supply the following information: (1) name and title of the person making the recommendation, (2) form of recommendation (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the recommendation was made, (3) date of recommendation, (4) person to whom recommendation was addressed, (5) name of person who responded to recommendation, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response. (b) Provide copies of all documents relating to the answer to this interrogatory.

340. (a) Describe the number and nature of the contacts the Commission made with other utilities in response to the "engineering recommendations" referred to in Interrogatory 339 and supply the following information for each contact: (1) name and title of the person making the contact, (2) form of contact (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons present at the time the contact was made, (3) date of contact, (4) person to whom contact was addressed, (5) name of person who responded to contact, (6) form of response (i.e., written or oral, in person or by telephone) and, if oral, a list of all persons

present at the time the response was given, (7) person to whom the response was addressed, and (8) date of response.

(b) Provide copies of all documents relating to the answer to this interrogatory.

341. (a) Do you contend that Applicant's representatives showed "no interest in this type of coordination" in 1969? (Luff affidavit, p. 3). (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

342. (a) Define what is meant by "this type of coordination" as used at page 3, lines 17-18, of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

343. (a) Identify the "spokesmen for Florida Power and Light" referred to at page 3, line 19 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

344. (a) What amount of capacity, in kilowatts, "would normally be made available" to Florida Power & Light by Orlando in the type of coordination defined in response to Interrogatory 342? (Luff affidavit, p. 3). (b) Provide copies of all documents relating to the answer to this interrogatory.

345. (a) What size unit, in kilowatts, would Orlando normally have installed in 1969? (b) Provide copies of all documents relating to the answer to this interrogatory.

346. (a) Quantify the "very high growth rate" referred to at lines 22-23 of page 3 of Mr. Luff's affidavit and specify the years over which that growth rate is relevant. (b) Provide copies of all documents relating to the answer to this interrogatory.

347. (a) In what ways would Orlando's excess capacity be "impractical over an extended period" as stated on page 3, lines 24-26, of Mr. Luff's affidavit? (b) Provide copies of all documents relating to the answer to this interrogatory.

348. (a) Define the length of time denoted by "an extended period" as used on page 3, line 26, of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

349. (a) Provide the following information with regard to Applicant's alleged suggestion that Orlando coordinate "with other smaller systems" (Luff affidavit, p. 3): (1) names and titles of individuals of Applicant who made the suggestion, (2) form of suggestion (written, oral, telephone call, etc.), (3) date of suggestion, (4) copy of the suggestion, if written, and (5) names of the "other smaller systems." (b) Provide copies of all documents relating to the answer to this interrogatory.

350. (a) Describe the membership and functions of the Florida Operating Committee. (b) Provide copies of all documents relating to the answer to this interrogatory.

351. (a) Provide copies of all documents relating to the October 1972 meeting between Applicant and the Orlando Utilities Commission referred to at page 3 of Mr. Luff's affidavit. Include notes and correspondence leading to and following the meeting as well as any notes, reports or correspondence generated at the meeting itself.

352. (a) Provide a copy of the results of the 1972 Orlando-Florida Power & Light-Jacksonville investigation of other joint generation projects in the United States. (Luff affidavit, p. 4). (b) Describe the methodology of the investigation. (c) Summarize the results of the investigation.

353. (a) Identify the individual members of the Coordinating Generation Study Committee and enumerate their individual assignments. (Luff affidavit, p. 4). (b) Provide copies of all documents relating to the answer to this interrogatory.

354. (a) Describe "the tenancy in common arrangement with an undivided interest" discussed at the February 1973 meeting of the Coordinating Generation Study Committee. (Luff affidavit, p. 4). (b) Provide copies of all documents relating to the answer to this interrogatory.

355. (a) At what meeting did Mr. Bivans allegedly indicate "that capacity from St. Lucie II nuclear project was needed by Florida Power and Light for their system and was not available for sale to other utilities"? (Luff affidavit, p. 4). (b) Provide copies of all documents relating to the answer to this interrogatory.

356. (a) At what meeting did Mr. Bivans allegedly assure the other participants of Applicant's "willingness to share future generating capacity, both nuclear and non-nuclear"? (Luff affidavit, p. 4). (b) Identify every person in attendance at this meeting. (c) Provide all written records of such meeting. Include notes and correspondence leading to and following the meeting as well as any notes, reports or correspondence generated at the meeting itself.

357. Provide a copy of Applicant's May 1, 1973 inquiry into the interest of Orlando Utilities Commission, Florida Power Corporation and Jacksonville Electric Authority in purchasing capacity from generating units in three alternate expansion plans in the 1979-1982 period. (Luff affidavit, p. 4).

358. (a) Provide a copy of Orlando's, Florida Power Corporation's and Jacksonville's responses to Applicant's May 1, 1973 inquiry. (b) Provide copies of all documents related to Orlando's response thereto.

359. (a) Do you contend that "no formal response was ever received from Florida Power and Light to the letters indicating interest" in the May proposals by Applicant?

(Luff affidavit, p. 4). (b) Provide copies of all documents relating to the answer to this interrogatory.

360. (a) Provide a list of the "verbal inquiries in late 1973 as to the Florida Power and Light position on the Orlando Utilities Commission response" (Luff affidavit, pp. 4-5) and include the following information for each inquiry listed: (1) date of inquiry, (2) name and title of person making inquiry, (3) form of inquiry (i.e., in person or by telephone, etc.), (4) name and title of person to whom inquiry was made, (5) names and titles of persons present during inquiry, (6) substance of inquiry, and (7) substance of response. (b) Provide copies of all documents relating to the answer to this interrogatory.

361. Identify by name and title the individual(s) who allegedly stated the "reasoning for Florida Power and Light's lack of response." (Luff affidavit, p. 5) (b) Provide copies of all documents relating to the answer to this interrogatory.

362. (a) Is it your contention that there is a "constitutional prohibition against joint ownership by municipal and investor owned systems in Florida"? (Luff affidavit, p. 5). (b) Provide a copy of that "constitutional prohibition." (c) Provide copies of all documents relating to the answer to this interrogatory.

363. (a) How much excess capacity did Orlando Utilities Commission have in "late 1970"? (Luff affidavit, p. 5). (b) Provide copies of all documents relating to the answer to this interrogatory.

364. (a) To what extent was Jacksonville Electric Authority "capacity deficient"? (Luff affidavit, p. 5).

(b) Provide copies of all documents relating to the answer to this interrogatory.

365. (a) Give the details of Jacksonville's contacting Orlando in late 1970 regarding purchase of excess capacity.

(Luff affidavit, p. 5). Include the following information:

(1) name and title of individual at Jacksonville Electric Authority who made the initial contact, (2) name and title of individual at Orlando Utilities Commission who was contacted, (3) date of contact, (4) amount of capacity Jacksonville desired to buy, (5) length of time during which capacity would be required, and (6) rate at which capacity would be purchased.

(b) Provide quantitative definitions of the terms "excess capacity" and "capacity deficient." (Luff affidavit, p. 5).

366. (a) Describe the "bilateral agreement between Jacksonville Electric Authority and Orlando Utilities Commission for the contract changes for the capacity and energy" which Mr. Page allegedly deemed "unacceptable" to Florida Power & Light. (Luff affidavit, p. 5). (b) Provide copies of all documents relating to the answer to this interrogatory.

367. (a) Describe the "multilateral agreement" involving Applicant, Jacksonville and Orlando, which allegedly appeared at one point to be headed for "successful culmination."

(Luff affidavit, p. 5). (b) Provide copies of all documents

relating to the answer to this interrogatory.

368. (a) As of what date and at whose initiative were the negotiations for the multilateral agreement referred to in Interrogatory 367 abandoned? (b) Provide copies of all documents relating to the answer to this interrogatory.

369. (a) Do you contend, as stated on page 5 of Mr. Luff's affidavit, that "Florida Power and Light has taken the position through its representatives at FCG that . . . municipal and cooperative systems should not have legal ownership in the proposed 500 kv transmission system"? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

370. (a) Do you contend that Applicant is "not adverse to other systems participating in the cost of construction on a limited basis"? (Luff affidavit, p. 5). (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

371. (a) Define "participating" as it is used on line 40, page 5 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

372. (a) Define "on a limited basis" as that phrase is used on line 41, page 5 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

373. (a) Cite every instance where Applicant stated or otherwise indicated its alleged unwillingness to participate in a statewide power pool, (Luff affidavit, p. 5), including the following information for each instance: (1) date of statement, (2) name and title of individual making the statement, (3) name and title of individual(s) present during oral statement, (4) name and title of individual(s) receiving written statement, and (5) copy of written statement. (b) Provide copies of all documents relating to the answer to this interrogatory.

374. (a) Cite every instance where Applicant has stated or otherwise indicated its alleged unwillingness to enter coordinated development (Luff affidavit, p. 5) including the following information for each instance: (1) date of statement, (2) name and title of individual making the statement, (3) name and title of individual(s) present during oral statement, (4) name and title of individual(s) receiving written statement, and (5) copy of written statement. (b) Provide copies of all documents relating to the answer to this interrogatory.

375. (a) Provide a copy of Ernest Bivans' alleged statement that Applicant did not favor a fully coordinated power pool. (Luff affidavit, p. 5). (If statement was oral, provide notes and description of the occasion.) (b) Provide copies of all documents relating to the answer to this interrogatory.

376. (a) Describe the "more limited concept" of coordination, referred to on lines 2-3, page 6 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

377. (a) Describe "what the utilities in Florida were presently doing under existing agreements" and specify what year is under discussion on page 6, lines 2-4 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

378. (a) Is it your contention that joint development of large-scale projects and the exchange of economy energy provide the equivalent benefits to that of a fully coordinated pool? (b) If so, explain the basis for your contention. (c) Provide copies of all documents relating to the answer to this interrogatory.

379. (a) Of what specific options does "the flexibility of present contract arrangements" consist? (Luff affidavit, p. 6). (b) Provide copies of all documents relating to the answer to this interrogatory.

380. (a) By whom, to whom and in what form was Applicant's position on coordination allegedly "indicated in May 1975"? (Luff affidavit, p. 6). (b) Provide copies of all documents relating to the answer to this interrogatory.

381. (a) Provide any documentation of Mr. Bivans' October 1975 alleged indication of "a complete unwillingness on the part of Florida Power and Light to participate in any pooling arrangement in Florida" as stated on page 6 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

382. (a) Define "directives" as used on line 17, page 6 of Mr. Luff's affidavit. (b) What is the source of the definition provided in response to subsection (a) of this interrogatory? (c) Provide copies of all documents relating to the answer to this interrogatory.

383. (a) What action do you contend Applicant took in opposing a proposed local law that would have allowed the rights of eminent domain outside Orange County? (Luff affidavit, p. 6). (b) Provide copies of all documents relating to the answer to this interrogatory.

384. (a) Specify the environmental and other problems associated with building new generation in Orange County. (Luff affidavit, p. 6). (b) Provide copies of all documents relating to the answer to this interrogatory.

385. (a) With regard to Applicant's purchase of economy energy from Orlando Utilities Commission (Luff affidavit, p. 6), provide the following information: (1) when did the purchase take place and for how long, (2) how much energy did Florida Power and Light purchase, (3) how

much in total did Applicant pay for the economy energy, (4) what was the average price per kilowatt-hour that Orlando charged, and (5) from which of Orlando's generating units? (b) Provide copies of all documents relating to the answer to this interrogatory.

386. (a) In what ways has the Orlando Utilities Commission "made known its economy energy's availability" to Applicant? (b) Identify and furnish copies of all documents relating to the response to this interrogatory.

387. (a) Define "substantial quantities of firm power" as used on page 6 of Mr. Luff's affidavit. (b) What is the source of the definition provided in response to subpart (a) of this interrogatory? (c) Identify and furnish copies of all documents relating to the answer to this interrogatory.

388. (a) Over what period of time has Florida Power Corporation purchased firm power from Orlando Utilities Commission? (b) At what rate (or rates)? (c) At what average price per kilowatt-hour? (d) For how much total revenue? (e) From which of Orlando's generating units? (f) Provide copies of all documents relating to the answer to this interrogatory.

389. (a) Have Orlando and Applicant ever discussed the possibility of Applicant purchasing firm or unit power from Orlando in connection with construction

of new generation facilities by Orlando? (b) If so, summarize such discussions and the positions of the parties, and list the times and places of such discussions and the participants thereto. (c) Provide all documents relating to your answer to this interrogatory.

390. (a) Identify the spokesmen and cite the specific occasions where spokesmen for Applicant allegedly "indicated that one of their major concerns in entering into cooperative arrangements with municipally owned utilities is that such arrangements might . . . strengthen their competitive position as compared with Florida Power and Light Company." (Luff affidavit, p. 6). (b) Provide copies of all documents relating to the answer to this interrogatory.

392. (a) Describe the "territorial restrictions binding the municipal systems in question" as used on page 7 of Mr. Luff's affidavit. (b) Provide copies of all documents relating to the answer to this interrogatory.

393. (a) What is the basis for the assertion that "the fear of competition expressed by Florida Power and Light is unfounded"? (Luff affidavit, p. 7). (b) Provide copies of all documents relating to the answer to this interrogatory.

394. Provide copies of the following documents listed in the qualifications of Dr. Wilson: (a) "Competitive Market Structure and Performance in the Energy Resource Industries." (b) "Government Intervention in a Failing Competitive Market: A Case for Public Action in the Interest of Conservation." (c) expert testimony dealing with integration between the oil, coal and nuclear industries (d) expert testimony on matters pertaining to S.403 (1971) (e) expert testimony pertaining to S.607 (1970) (f) testimony concerning rate of return, economic efficiency, cost of service, fuel adjustment clause, and anti-competitive price discrimination (FPC E-8570) (g) testimony concerning prices and competition (FPC CI 73-293) (h) testimony concerning rate structure design and antitrust matters (FPC E-7679) (i) testimony regarding rate of return (FPC E-7679) (j) testimony concerning prices and competition (FPC CI 72-301) (k) testimony in FPC E-7618) (l) presentation before 1975 conference on "Structure of the Energy Industry."

395. To the extent not identified in the answers to the preceding or following interrogatories, identify all experts who are expected to be or may be called as Cities' witnesses during the evidentiary hearing.

396. (a) Identify all persons with knowledge of facts relevant to this proceeding and who are expected to or may be called as Cities' witnesses during the evidentiary hearings.

(b) For each such person, state the following: (1) name, home and business addresses, and (2) the subject matter on which each is expected to or may testify.

397. (a) Identify the "spokesman" of Applicant who allegedly "produced a 'hasty estimate'" that "there are about half a dozen community or co-operative electric utilities in our area which might benefit by selling their plants to us." (Joint Petition, p. 51-52. (b) Identify all persons who have any knowledge of the identity of the "spokesman" and/or any knowledge of the circumstances surrounding the statement described in subsection (a) of this interrogatory. (c) Provide copies of all documents relating to the answer to this interrogatory.

398. Provide the citation to and a copy of any law, provision, regulation, rule, or order which you contend now permits, or at any time during the designated period permitted, the system to (a) construct system facilities for the generation or transmission of electricity outside its service area, (b) construct system facilities for the sale of electricity outside of its service area, (c) share the ownership of electric facilities with any other utility or entity, (d) interconnect with any other utility or entity, (e) coordinate or integrate in any other way with any other

utility or entity, (f) engage in or join any electric, power, energy or similar association, (g) become jointly liable with other entities on contractual obligations, (h) enter into contracts for the purchase of power or for purchase of the output of a generating facility or facilities.

399. Provide copies of all documents relating to load patterns or coincidence (or diversity) factors of individual customers or classes of customers served by the system.

400. (a) Describe in detail your line extension policy. (b) Describe in detail all variations from that policy from 1970 to the present. (c) Provide copies of all documents relating to the City's line extension policy, and variations therefrom from 1970 to the present.

401. Provide copies of all newsletters, news releases, magazines and other publications issued by the FMUA or FMPA during the designated period.

Interrogatory Nos. 403-405 below reference the Supplemental Affidavit of Harry C. Luff, Jr., Assistant General Manager of the Orlando Utilities Commission, which were filed in NRC Docket Nos. 50-335A, 50-389A, 50-250A and 50-251A, August 9, 1976. Each city should answer all subsections of each of these interrogatories to the best of its knowledge. Each city should provide copies of the requested documents that are in the possession or control of the city or counsel.

403. (a) Identify the "[s]everal Steering Committee members who felt that their participation in the project was contingent on FPL having a financial interest in the project", referred to in the Supplemental Affidavit of Harry C. Luff, Jr., on p. 2; (b) for each person identified in (2), provide the basis for their position that "their participation in the project was contingent on FPL having a financial interest in the project", including, not by way of limitation, any specific and quantitative bases which contributed to this position.

404. (a) Does the City deny that, prior to cancelling the nuclear steam supply system contract for the South Dade Project, Applicant offered the participants in the joint venture discussions the opportunity to assume these contracts? (b) Describe in detail the consideration that the offer received. (c) Provide all documents relating to any communication between Applicant and any City regarding the South Dade nuclear steam supply system contract and the City's consideration of any matter relating thereto.

405. Provide copies of all notes, memoranda, summaries, outlines or other documents relating to (a) the meeting of May 13, 1976, referred

to id., on p. 1; (b) the meeting of June 3, referred to id., p. 2; (c) the meeting of June 22, 1976, referred to id., on p. 2; (d) the meeting of the Joint Nuclear Facilities Steering Committee on July 14, 1976, referred to id., on p.3; (e) the "special meeting" of July 20, 1976, between representatives of FPL, Florida Power Corporation, Tampa Electric Company, Jacksonville Electric Authority; Seminole Electric Cooperative, Inc., and OUC, referred to id., on p. 3. State who was in attendance at each such meeting.

406. Define the term "price squeeze" as that term is used on page 53 of the Joint Petition and state the source of such definition.

407. With reference to the "price squeeze" referred to at page 53 of your petition, state (a) whether you contend that the said "price squeeze" is continuing, (b) whether it is your contention that any "price squeeze" on the part of Applicant previously existed, but has now terminated and, if so, as to each such terminated "price squeeze," state the date on which it began, the date on which it terminated, to what class or classes of customers such "price squeeze" was applied, and the rate schedule or tariffs applied by Applicant to the relevant classes of customers during the continuation of such "price squeeze."

408. (a) Is it your contention that the "price squeeze" referred to in 406 above includes or involves the furnishing of electricity to any entity other than under Applicant's wholesale rates (SR-1 rate) and its industrial rate (GSD rate)? (b) If so, identify each such other rate involved and the rate schedule or tariff under which it is supplied by Applicant.

409. (a) Is it your contention that Applicant's rates are now or at

any time during the designated period have been designed or proposed with the specific intent of adversely affecting the City's ability to compete in any market? (b) If so, state (1) the particular rate or rates involved in each such situation, (2) the product market involved in any such situation, (3) the geographical market involved in any such situation, (4) whether it is your contention that Applicant's present rates were designed or proposed with such specific intent, (5) the identity of each utility which suffered such an adverse effect on its ability to compete. (c) Identify each document and describe specifically each act or statement by Applicant which supports this contention. (d) Provide a copy of each document relating the answer to the answer to this interrogatory.

410. (a) Is it your contention that Applicant's sale for resale rates currently applicable to the Cities produces revenue to Applicant in excess of Applicant's cost of providing the services, including a reasonable rate of return on investment? If so, identify each such rate schedule, (b) Is it your contention that Applicant's sale for resale rates applicable to the Cities during the designated period, but no longer in effect, produced revenue to Applicant in excess of Applicant's cost of providing the services, including a reasonable rate of return on investment? (c) As to each such sale for resale rate identified in your responses to the preceding subsections of this interrogatory, what rate of return on investment do you contend that such rate(s) produced? (d) What rate of return do you contend is "reasonable"? (e) State the basis for your contentions in response to the preceding subsections of this interrogatory. (f) Provide copies of all documents referred to or in any way relating to the answers to this interrogatory.

411. (a) Is it your contention that Applicant's rates to any class of customer produces, or produced at any time during the designated period during which the alleged "price squeeze" has been in effect, a rate of return which is lower than the rate of return derived by Applicant from sales for resale to the City? (b) If so, state (1) the rate schedule(s) involved in such situation, and the rate of return derived therefrom, and (a) the basis for your contention in this regard. (d) Provide copies of all documents relating in any way to the answer to this interrogatory.

412. (a) Have Cities, separately or jointly, in any forum, be it court of law or administrative agency, challenged the justness and reasonableness of any rate schedule listed in response to 407(b), 408(b), 409(b), 410(a) and 411(b), above? (b) If the response to 412(a) is affirmative, (i) list each such proceeding, (ii) each rate schedule challenged, (iii) the forum in which the challenge was brought, (iv) identify the proceeding by docket number, and (v) describe in detail the status of the case. (c) If any decision, either intermediate or final, has been rendered, describe the result reached. (d) Provide copies of all documents relating to the answers to these interrogatories.

The following interrogatories refer to the supplemental affidavit of Robert E. Bathen, which was filed in NRC Docket Nos. 50-335A, 50-389A, 50-250A and 50-251A on August 4, 1976.

Each city should provide copies of the requested documents that are in the possession or control of the city or its counsel.

413. Define the wholesale bulk power supply market referred to at p. 1.

414. Is it contended that applicant's alleged anticompetitive activities are "accelerating" at the present time? See p. 1. If so, state the basis and reasons for such a contention.

415. Describe in detail the refusals of FPL to deal with New Smyrna Beach referred to at p. 2. In particular, describe the standard for determining "reasonable terms and conditions" for wholesale rates.

416. Describe in detail the factual basis for the assertion (at p. 4) that FPL's offers of access in St. Lucie 2 "to cooperatives and to municipal systems. . . [have] been unreasonably low and insignificant."

417. What units comprise the "other large, efficient generation of FP&L" referred to on p. 5?

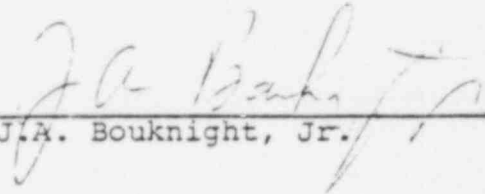
418. Identify each "attempt to impose territorial limitations" referred to at p. 5.

419. When did the city first consider joint planning of generation facilities? Provide copies of all documents evidencing such consideration.

420. Were the smaller fossil fueled plants referred to at p. 5 "less efficient" (as that term is used at pp. 5 and 6) prior to October, 1973? Provide copies of all documents that relate to your answer to this interrogatory.

421. Identify the systems referred to as being "outside FP&L's system service" area but nonetheless subject to citizen pressure (at pp. 6-7).

Respectfully Submitted,



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