



ONE PROGRESS PLAZA
200 CENTRAL AVENUE, SUITE 2300
ST. PETERSBURG, FLORIDA 33701-4352

CARLTON FIELDS
ATTORNEYS AT LAW

ORIGINAL

MAILING ADDRESS.
PO BOX 2861, ST PETERSBURG, FL 33701-2861
TEL (727) 821-7000 FAX (727) 822-3768

RECEIVED-FPSC
02 MAR 18 AM 11:36
COMM. CLERK

March 15, 2002

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

VIA FEDERAL EXPRESS

In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light
Docket No: 000824-EI

Dear Ms. Bayo:

Florida Power Corporation ("FPC" or the "Company") is filing the original and one (1) copy of Florida Power Corporation's Request for Official Recognition.

We request you acknowledge receipt and filing of the above by stamping the additional copy of this letter and returning it to me in the self-addressed, stamped envelope provided.

If you or your Staff have any questions regarding this filing, please contact me at (727) 821-7000.

Very truly yours,

Gary L. Sasso
Gary L. Sasso
jc

enclosures
AUS
CAF
CMP
COM
CTR
ECR
GCL
OPC
MMS
SEC
OTH

RECEIVED & FILED
RLM
FPSC-BUREAU OF RECORDS

02 MAR 18 AM 9:51

DOCUMENT NUMBER-DATE

03094 MAR 18 02

MIAMI ORLANDO ST. PETERSBURG TALLAHASSEE TAMPA WEST PALM BEACH
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Review of Florida Power
Corporation's Earnings, Including Effects
of Proposed Acquisition of Florida Power
Corporation by Carolina Power & Light**

DOCKET NO. 000824-EI

Submitted for Filing:
March 18, 2002

**FLORIDA POWER CORPORATION'S
REQUEST FOR OFFICIAL RECOGNITION**

Pursuant to Sections 90.202 and 90.203, Florida Statutes, Florida Power Corporation ("FPC" or the "Company") requests that the Florida Public Service Commission ("PSC" or the "Commission") take official notice of the items listed below, consisting of the following:

1. Public Utility Holding Company Act of 1935, 15 U.S.C. § 79.
2. General Rules and Regulations, Public Utility Holding Company Act of 1935, Service, Sales and Construction Contracts, 17 C.F.R. § 250.88(b).
3. CP&L, Inc. Release Nos. 35-27284, 70-9643, 2000 SEC LEXIS 2570 (November 27, 2000).
4. *In re* Florida Power Corp. rate increase, 138 P.U.R. 4th 472, 1992 Fla. PUC LEXIS 1546 (Fla. P.S.C. October 22, 1992).
5. *In re* Florida Power Corp. petition for authorization to implement a self-insurance program for storm damage to its T&D Lines and to increase annual storm damage expenses, Order No. PSC-93-1522-FOF-EI, 1993 Fla. PUC LEXIS 1339 (Fla. P.S.C. October 15, 1993).
6. *In re* Florida Power Corp. investigation into currently authorized return on equity and Earning, Order No. PSC-94-0852-FOF-EI, 1994 Fla. PUC LEXIS 867 (Fla. P.S.C. July 13, 1994).
7. Merger Policy Statement, 61 FR 58595, Docket RM96-6 (December 30, 1996).
8. *In re* Kansas Power & Light Company, 127 PUR 4th 201 (November 15, 1991).

9. *In re* Florida Power Corp. and Sebring Utilities Commission for approval of certain matters in connection with the sale of assets, Order No. PSC-92-1468-FOF-EU, Docket No. 920949-EU (Fla. P.S.C. December 17, 1992).

10. *In re* Waterfront Park Homeowners Ass'n, Order No. 15925, Docket No. 850460-WU (Fla. P.S.C. April 2, 1996).

11. *In re* Peoples Gas System, Inc. rate increase, 119 P.U.R. 4th 252 (Fla. P.S.C. December 11, 1990).

12. *In re* Rainbow Springs Utility, Order No. PSC-98-0593-FOF-WS, Docket No. 971195-WS, 98 FPSC 4:465 (Fla. P.S.C. April 27, 1998).

13. *In re* Citizens of the State of Florida for a full revenue requirements rate case for Florida Power and Light, Order No. PSC-99-0519-AS-EI, Docket No. 990067-EI, 99 FPSC 3:36 (Fla. P.S.C. March 17, 1999).

14. *In re* PEPCO & BCE authorization and approval of a merger, 176 P.U.R. 4th 316 (April 16, 1997).

15. *In re* Jacksonville Suburban Utilities Corp., Order No. PSC-93-1819-FOF-WS, Docket No. 930204-WS, 93 FPSC 12:390 (Fla. P.S.C. December 22, 1993).

16. *In re* Western Resources, Inc., 197 P.U.R. 4th 175 (September 28, 1999).

17. *In re* Entergy Corporation and Gulf States Utilities Co. merger, Order No. U-19904, Docket No. U19904, 1993 La OUC LEXIS 212 (La. P.S.C. May 3, 1993).

18. *In re* Con Ed and Northeast Utilities for approval of a change of control, 205 P.U.R. 4th 182 (October 19, 2000).

19. *In re* GPU/First Energy Application for merger, 2001 PA P.U.C. LEXIS 23 (Pa. P.U.C. June 20, 2001).

20. *In re* SCANA Corporation, 198 P.U.R. 4th 158 (N.C. P.U.C. December 7, 1999).

21. *In re* CPL/FPC Merger, Docket No. E-2, Sub 760, 2000 N.C. PUC LEXIS 47 (N. C. P.U.C. August 22, 2000).

22. *In re* Nevada Power and Sierra Pacific for approval of agreement and plan of merger, Docket 98-7023, 1999 Nev. P.U.C. LEXIS 194 (Nev. P.U.C. January 4, 1999).

23. *In re* nuclear outage at Florida Power Corp.'s Crystal River Unit 3, Order PSC-97-0840-S-EI, Docket No. 970261-EI (Fla. P.S.C. July 14, 1997).

24. *In re* determination of need for Hines Unit 2 Power Plant by Florida Power Corp., Order PSC-01-0029-FOF-EI, Docket No. 001064-EI (Fla. P.S.C. January 15, 2001).

25. *In re* expedited approval of agreement with Tiger Bay Limited Partnership, Order PSC-97-0652-S-EQ, Docket No. 970096-EQ (Fla. P.S.C. June 9, 1997).

26. *In re* last core and nuclear decommissioning, Order PSC –02-0055-PAA-EI Docket No. 991931 & 0001835 (Fla. P.S.C. January 7, 2001).

27. *In re* TECO authority to increase its rates and charges, Order No. 15451, Docket No. 850050 & 850246-EI (Fla. P.S.C. December 13, 1985).

28. *In re* RTO start-up costs, Order No. PSC-01-2489-FOF-EI in Docket No. 000824-EI.

29. *In re* rates and charges of Florida Power & Light, Order No. 24460, Docket No. 900038-EI, 1991 Fla. PUC LEXIS 676, 91 FPSC 5:26 (Fla. P.S.C. May 1, 1991).

30. *In re* rates of Marion Utilities Inc. in Marion County for possible overearnings, Order No. PSC-95-1193-FOF-WS, Docket No. 95170-WS, 1995 FL PUC LEXIS 1344, 95 FPSC 9:344 (Fla. P.S.C. September 22, 1995).

31. *In re* rates of Sunshine Utilities in Marion County for possible overearnings, Order No. 21958, Docket No. 881030-WU, 1989 Fla. PUC LEXIS 1378, 89-9 FPSC 602 (September 27, 1989).

32. *In re* rates of Sunshine Utilities in Marion County for possible overearnings, Order No. 21629, Docket No. 881030-WU, 1989 Fla. PUC LEXIS 1105, 89-7 FPSC 589 (Fla. P.S.C. July 31, 1989).

33. *In re* earnings of Florida Public Utilities Co.'s Fernandina Beach Electric Division, Order No. 13677, Docket No. 840100-EI, 1984 Fla. PUC LEXIS 251, 84 FPSC 158 (Fla. P.S.C. September 13, 1984).

34. *In re* level of earnings of Florida Public Utilities Co.'s Fernandina Beach Electric Division, Order No. 10605, Docket No. 810271-EI, 1982 Fla. PUC LEXIS 861, 82 FPSC 206 (Fla. P.S.C. February 17, 1982).

35. *In re* 1999 earnings of Florida Public Utilities Company's Fernandina Beach Division, Order No. PSC-00-1883-PAA-EI, Docket No. 001147-EI, 2000 Fla. PUC LEXIS 1203, 00 FPSC 10:163 (Fla. P.S.C. October 16, 2000).

36. *In re* Gulf Power Co. for increase in rates and charges, 120 P.U.R. 4th 1, 1990 Fla. PUC LEXIS 1320 (Fla. P.S.C. October 3, 1990).

37. *In re* Florida Power Corp. and City of Tallahassee, Order No. PSC-99-1741, Docket No. 990771, 1999 Fla. PUC LEXIS 1624 (Fla. P.S.C. September 3, 1999).

38. *In re* Occidental Chemical Corp. for reduction of retail electric service rates charged by Florida Power Corp., Order No. 20632, Docket No. 870220-EI, 1989 Fla. PUC LEXIS 112, 89-1 FPSC 227 (Fla. P.S.C. January 20, 1989).

39. *In re* Florida Power Corp. rate modification, Order No. 8834, Docket No. 770316-EU, 1979 Fla. PUC LEXIS 501, 5 FPSC 885 (Fla. P.S.C. April 18, 1979).

40. *In re* Florida Power & Light increase in rates and charges, Order No. 13537, Docket No. 830465, 1984 Fla. PUC LEXIS 375, 84 FPSC 136 (Fla. P.S.C. July 24, 1984).

41. *In re* cost-effective level of demand-side management credit for interruptible and curtailable rate classes of Florida Power Corp., Order No. PSC-96-0842-FOF-EI, Docket No. 950645-EI, 1996 Fla. PUC LEXIS 1010, 96 FPSC 7:31 (Fla. P.S.C. July 1, 1996).

42. *In re* demand-side plan of Florida Power Corp., Order No. PSC-95-0691-FOF-EG and PSC-95-0691A & PSC-95-1344-S-EG, Docket No. 941171-EG (Fla. P.S.C. June 9, 1995).

43. *In re* increase in Gulf Power's rates and charges, 120 P.U.R. 4th 1, 1990 Fla. PUC LEXIS 1320, 90-10 FPSC 195.

44. *In re* increase in Gulf Power's rates and charges, Order No. 11498, Docket No. 820150-EU, 1983 Fla. PUC LEXIS 1065, 83 FPSC 59 (Fla. P.S.C. January 11, 1983).

45. *In re* Gulf Power authority to increase its rates and charges, Order No. 14030, Docket No. 840086-EI, 1985 Fla. PUC LEXIS 969, 85 FPSC 245 (Fla. P.S.C. January 25, 1985).

46. Bluefield Water Works, 262 U.S. 679 (1923).

47. Federal Power Comm'n v. Hope Natural Gas, 320 U.S. 591 (1944).

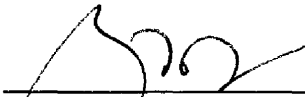
48. *In re* fuel adjustment clause of Electric Utilities, Order No. 12645, Docket No. 830001-EI, 1983 Fla. PUC LEXIS 163, 83 FPSC 12 (Fla. P.S.C. November 3, 1983).

49. *In re* proposed electrical power plant and related facilities, Polk County Units 1-4, Order No. 25805, Docket No. 910759-EI, 1992 Fla. PUC LEXIS 389, 92 FPSC 2:659, Fla. P.S.C. February 25, 1992).

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to all counsel listed on the attached service list via U.S. Mail this 15th day of March, 2002.

Respectfully submitted,

James A. McGee
FLORIDA POWER CORPORATION
Post Office Box 14042
St. Petersburg, FL 33733-4042
Telephone: (727) 820-5184
Facsimile: (727) 820-5519



Gary L. Sasso
James Michael Walls
Jill H. Bowman
W. Douglas Hall
CARLTON FIELDS, P. A.
Post Office Box 2861
St. Petersburg, FL 33731
Telephone: (727) 821-7000
Facsimile: (727) 822-3768
Attorneys for Florida Power Corporation

DOCKET NO. 000824 – SERVICE LIST

Mary Anne Helton, Esquire
Adrienne Vining, Esquire
Bureau Chief, Electric and Gas
Division of Legal Services
Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
Phone: (850) 413-6096
Fax: (850) 413-6250
Email: mhelton@psc.state.fl.us

Jack Shreve, Esquire
Public Counsel
John Roger Howe, Esquire
Charles J. Beck, Esquire
Deputy Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400
Phone: (850) 488-9330
Fax: (850) 488-4491
Attorneys for the Citizens of the State of
Florida

Daniel E. Frank
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2415
Telephone: (202) 383-0838
Fax: (202) 637-3593
Counsel for Walt Disney World Co.

Russell S. Kent, Esq.
Sutherland Asbill & Brennan LLP
2282 Killearn Center Blvd.
Tallahassee, FL 32308-3561
Telephone: (850) 894-0015
Fax: (850) 894-0030
Counsel for Walt Disney World Co.

Thomas A. Cloud, Esq.
Gray, Harris & Robinson, P.A.
301 East Pine Street, Ste. 1400
P.O. Box 3068
Orlando, FL 32801
Phone: (407) 244-5624
Fax: (407) 244-5690
Attorneys for Publix Super Markets, Inc.

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
400 North Tampa Street, Suite 2450
Tampa, FL 33601-3350
Telephone: (813) 224-0866
Fax: (813) 221-1854
Counsel for Florida Industrial Power Users
Group

Joseph A. McGlothlin, Esquire
Vicki Gordon Kaufman, Esquire
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 South Gadsden
Tallahassee, FL 32301
Telephone: (850) 222-2525
Fax: (850) 222-5606
Counsel for Florida Industrial Power Users
Group and Reliant Energy Power Generation,
Inc.

Michael B. Twomey, Esq.
8903 Crawfordville Road (32305)
P.O. Box 5256
Tallahassee, FL 32314-5256
Phone: (850) 421-9530
Fax: (850) 421-8543
Counsel for Sugarmill Woods Civic
Association, Inc. and Buddy L. Hansen