

ORIGINAL

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:  
November 7, 2001

COMMISSION  
CLERK

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**FLORIDA POWER CORPORATION'S  
CONSENTED MOTION FOR EXTENSIONS OF TIME TO RESPOND**

Florida Power Corporation ("FPC"), by and through undersigned counsel, hereby moves pursuant to Rule 25-106.204(5), Florida Administrative Code, for extensions of time up to and through November 30, 2001 to respond to certain of Citizens' Second Set of Interrogatories and Third Request for Production of Documents as follows: **Interrogatories** 24, 33(c), 36(a), 36(b), 38(j), 38(k), 40(d), 41(b), 42(a), 42(b), 42(c), 43, 44(b), and 46(b); and **Production of Documents Requests** 29, 36, 41, 42, 55, 56, 57, 62, 63 and 70.

As grounds for its motion, FPC states as follows:

1. On or about October 3, 2001, Office of Public Counsel ("OPC"), representing the interests of Florida's Citizens ("Citizens"), served Citizens' Third Set of Production Requests, items 29 through 76, and Citizens' Second Set of Interrogatories, items 18 through 48, on FPC.
2. Including these requests, prior requests and their subparts, OPC has propounded a total of eighty-two (82) production of documents requests and one hundred and five (110) interrogatories on FPC since mid-September. Indeed, Florida Power has already fully responded to Citizens First and Second Requests for Production of Document and Citizens First Set of Interrogatories.

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3. In connection with all of these requests, FPC has been diligently working to prepare responses to Citizens' interrogatories and provide documents responsive to Citizens' requests for production of documents (subject to the objections contained therein). Due in great part to the ongoing changes in the Company arising out the merger, however, FPC has encountered foreseeable but nonetheless real problems in gathering the requested information. For example, during the last month several groups within Florida Power, including Energy Delivery, Accounting, and Legal have been busy relocating their business offices. This has resulted in the temporary unavailability of documents and other information that simply could not be remedied in time to provide the above referenced responses.

4. Similarly, new personnel in all areas of the Company are not always familiar with the Company's historic practices and record keeping, and as a result, it takes them more time to research questions and locate responsive materials and/or information than might otherwise be necessary. Unfortunately, FPC anticipates that it will continue to encounter these types of problems given the significant transition that is occurring and will continue to occur within the Company during this expedited proceeding.

5. Thus, although FPC has made both good faith and diligent efforts to provide responses and/or documents to Citizens, FPC needs additional time to prepare responses to a minority of Citizens' requests that are otherwise due to be objected and responded to on November 7, 2001. Accordingly, FPC respectfully requests that the Commission provide FPC up through and including November 30, 2001 to provide responses to the following interrogatories and document requests:

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- (a) **Interrogatories** 24, 33(c), 36(a), 36(b), 38(j), 38(k), 40(d), 41(b), 42(a), 42(b), 42(c), 43, 44(b), and 46(b); and
- (b) **Production of Documents Requests** 29, 36, 41, 42, 55, 56, 57, 62, 63 and 70.

6. FPC's counsel has consulted with Citizens' counsel who has no objection to the above-requested extensions of time to respond.

WHEREFORE, Florida Power Corporation avers that it has shown good cause and requests that the Commission enter an Order granting its Motion for Extensions of Time through and including November 30, 2001 to respond to the above identified interrogatories and production requests.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing has been furnished via U.S. Mail to all other counsel of record listed below this 7<sup>th</sup> day of November, 2001.


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