



JACK SHREVE
PUBLIC COUNSEL

STATE OF FLORIDA
OFFICE OF THE PUBLIC COUNSEL

ORIGINAL

c/o The Florida Legislature
111 West Madison St.
Room 812
Tallahassee, Florida 32399-1400
850-488-9330

February 25, 2003

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

RECEIVED FPSC
FEB 25 PM 3:27
COMMISSION
CLERK

Re: Docket No. 000824-EI

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket are the original and 15 copies of the Citizens' Motion to Compel.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

- AUS _____
- CAF _____
- CMP _____
- COM
- CIR _____
- ECR _____
- GOL _____
- OPC _____
- MMS _____
- SEC
- OTH _____

Sincerely,

Charles J. Beck
Deputy Public Counsel

CJB:bsr

Enclosures

RECEIVED & FILED

D. J. P.
BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

01934 FEB 25 03

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 --)
2002 Revenue Sharing)

Docket No. 000824-EI

Filed February 25, 2003

MOTION TO COMPEL

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, move the Prehearing Officer to order Progress Energy Florida, f/k/a Florida Progress Corporation ("Progress Energy") to produce the documents requested in the Citizens' First Set of Requests for Production of Documents Concerning 2002 Revenue Sharing dated January 22, 2003, and state the following:

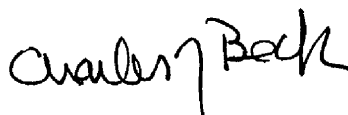
1. On January 22, 2003, Citizens served our first set of requests for production of documents on Progress Energy concerning the company's 2002 revenues. The request asked for two sets of monthly financial reports routinely generated by the company for management during each month of 2002.

2. Progress Energy refuses to produce the documents. This request for documents is a particularly simple request with which the company could easily comply, but instead Progress Energy only provided minimal information it selected.

3. These requested documents are necessary to review in order to properly investigate the revenue figures reported by Progress Energy which, incidentally, have been a moving target. Citizens are aware of at least three different revenue figures for 2002 provided by Progress Energy, and the various reported revenue figures underscore the need to investigate the revenue figures provided by the company.

WHEREFORE, Citizens respectfully request the Prehearing Officer to order Progress Energy to produce the documents requested by Citizens.

Respectfully submitted,



Charles J. Beck
Deputy Public Counsel
Fla. Bar No. 217281

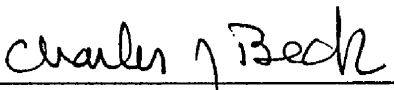
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street
Room 812
Tallahassee, FL 32399-1400

(850) 488-9330

Attorney for Florida's Citizens

**CERTIFICATE OF SERVICE
DOCKET NO. 000824-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties on this 25th day of February, 2003.



Charles J. Beck
Deputy Public Counsel

Mary Anne Helton, Esquire
Adrienne Vining, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, McGlothlin,
Davidson, Decker, Kaufman,
Arnold & Steen, P.A.
P.O. Box 3350
Tampa, FL 33601-3350

James A. McGee, Esquire
Florida Power Corporation
Post Office Box 14042
St. Petersburg, FL 33733

Michael B. Twomey, Esquire
Post Office Box 5256
Tallahassee, FL 32314-5256

James P. Fama, Esquire
LeBoeuf, Lamb, Greene
& MacRae LLP
1875 Connecticut Ave., Suite 1200
Washington, DC 20009

Gary L. Sasso, Esquire
James M. Walls, Esquire
Carlton Fields Law Firm
Post Office Box 2861
St. Petersburg, FL 33731

Vickie Gordon Kaufman
Florida Industrial Power Users Group
McWhirter, Reeves, McGlothlin, Davidson,
Decker, Kaufman, Arnold & Steen, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

Ronald C. LaFace, Esquire
Seann M. Frazier, Esquire
Greenberg Traurig Law Firm
101 East College Ave.
Tallahassee, FL 32301

Paul E. Christensen
Sugarmill Woods Civic Assoc., Inc.
108 Cypress Blvd. West
Homosassa, FL 34446

Buddy L. Hansen
13 Wild Olive Court
Homosassa, FL 34446

Paul Lewis, Jr.
Florida Power Corporation
106 East College Avenue
Suite 800
Tallahassee, FL 32301

Lee Schmudde
Vice President, Legal
Walt Disney World Co.
1375 Lake Buena Drive
Lake Buena Vista, FL 32830

Florida Retail Federation
100 East Jefferson Street
Tallahassee, FL 32301

James J. Presswood, Jr.
Legal Environmental Assistance
Foundation
1141 Thomasville Road
Tallahassee, FL 32303-6290

Thomas A. Cloud, Esquire
Gray, Harris & Robinson, P.A.
301 East Pine Street, Suite 1400
P.O. Box 3068
Orlando, Florida 32801