

ORIGINAL

TOM LEE
President

ALLAN BENSE
Speaker



STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330



Harold McLean
Public Counsel

November 23, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED - FPSC
NOV 23 PM 3:23
COMMISSION
CLERK

RE: Docket No. 040001-EI, In Re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of the Office of Public Counsel's First Request for Production of Documents to Florida Power and Light Company (No.1) for filing in the above referenced docket.

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

Sincerely,

Patricia A. Christensen
Associate Public Counsel

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

PC/pwd
Enclosures

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

12552 NOV 23 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with)
generating performance incentive)
factor.)
_____)

DOCKET NO. 040001-EI
FILED: November 23, 2004

**CITIZENS' FIRST SET OF
REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1)
TO FLORIDA POWER AND LIGHT**

Please take notice that the Citizens served the original and one copy of its Requests for Production of Documents (Nos.1) to Florida Power & Light (FP&L) on November 23, 2004.

The documents are to be served on the Citizens at the Office of Public Counsel, c/o the Florida Legislature, 111 West Madison Street, Claude Pepper Building, Room 812, Tallahassee, Florida 32399-1400. Copies are to be served on all parties in accordance with applicable Rules of Civil Procedure.

DEFINITIONS

As used herein, in word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intra-office, handwritten or other notes, working papers, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

PRODUCTION OF DOCUMENTS REQUESTS

1. Please provide copies of all responses to Production of Document requests Nos. 10-12 served by Commission staff on the company.

Respectfully submitted,



Patricia A. Christensen
Florida Bar No. 0989789
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
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(850) 488-9330

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 23rd day of November, 2004, to the following:

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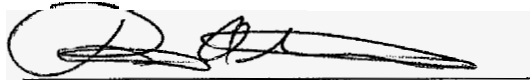
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