

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing Notice and attachment has been furnished via U.S. Mail to all counsel of record on the service list below this 13 day of November, 2001.

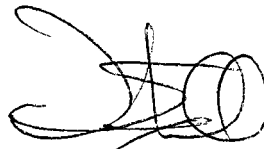
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November 6, 2001

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c/o The Florida Legislature
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VIA FACSIMILE
VIA U.S. MAIL

Re: Florida Power Corporation Rate Review
Docket No. 000824

Dear Charlie:

I am writing in response to your e-mail inquiry regarding documents produced in response to Citizen's First Request to Produce and, in part, to Citizens Motion to Compel. To begin, in follow-up to my e-mail of March 29, 2001 (which is attached hereto), I have been advised by Florida Power that there are no additional documents responsive to request number 2. Although you correctly indicate that the document produced contains an indication that it is "FPC base scenario," Florida Power advises that, in fact, no sensitivities were performed.

In response to your question concerning the January through March 2001 variance reports and the inadvertently included August and November reports from 1999, I have been advised as follows. The August and November 2000 reports will be marked confidential and provided to you (although they will not be Bates labeled in order with the remainder of items produced in response to the request). With regard to the January through March 2001 variance reports, Florida Power has advised me that due to changes arising from the merger, this report was not generated by the Company during any of those months. Thus, the production of those reports is complete as made. Additionally, we are still attempting to determine whether more legible copies of the documents produced in response to Request number 4 can be located.

As mentioned in my e-mail, please also feel free to identify for us which requests you seem to believe should have resulted in the production of additional documents along with your reasoning. I am happy to try to resolve any specific dispute concerning the documents produced, however, it is often difficult to discuss such matters generally.

EXHIBIT A
FLORIDA POWER CORPORATION'S RESPONSE TO
OPC'S FIRST MOTION TO COMPEL

STP#534886.01
MIAMI

ORLANDO

ST. PETERSBURG

TALLAHASSEE

TAMPA

WEST PALM BEACH

Charles J. Beck, Esq.
November 6, 2001
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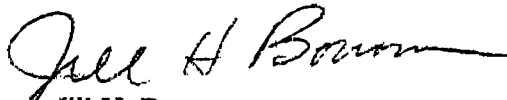
As mentioned above, I am also writing in part to respond to issues identified in Citizens Motion to Compel. Specifically, in the Motion to Compel you indicate that Florida has "refused" to provide a privilege log in accordance with the rule. To the contrary, Florida Power's objection specifically indicates that it will indeed comply with its obligations under the Rules of Civil Procedure and makes an objection to the extent the instruction in the Production Request purports to expand Florida Power's obligations in that regard.

In any event, in connection with FPC's response to Citizens First Request to Produce, only one document responsive to the requests was withheld under a claim of privilege, and I can describe that document for you here and now. This document is a summary of the acquisition adjustment decisions from around the Country that were actually produced to Citizens in response to Request number 17. This summary document was prepared by a Florida Power legal assistant at the request of counsel and is protected by the work product privilege.

I hope that this clarifies for you the basis and nature of Florida Power's objection that is the subject of a significant portion of the Motion to Compel. In addition, it is customary for parties to attempt to resolve any specific discovery disputes prior to addressing them to a Court or the Commission. Indeed, Rule 28-106.204 requires counsel to confer concerning any motion (excluding a motion to dismiss) at least concerning the objection of any party to the motion and to indicate in the motion that such an inquiry has been made. Although this Rule is not as specific as some rules of judicial administration concerning the conduct of parties in discovery disputes in state and federal court, it should be liberally construed to require that counsel for the parties confer concerning discovery disputes prior to the filing of a motion to compel to see if some or all of the matters might be resolved. Clearly, such a conference would have been helpful in this case in connection with the matter concerning the production of a privilege log, which is much ado about very little.

Again, I am happy to discuss with you any discovery disputes or concerns in an attempt to resolve them without need to take them to the Commission for resolution. I hope that we can proceed in the future in this manner.

Sincerely,


Jill H. Bowman

cc: Mary Anne Helton