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December 27, 2001

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 herewith are the original and one (1) copy of the following:

- 1. Florida Power Corporation's Motion for Temporary Protective Order; 16155-01
 - 2. Florida Power Corporation's First Request for Production of Documents to Staff; 16156-01
- and
- 3. Florida Power Corporation's First Set of Interrogatories to Staff. 16157-01

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.

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Enclosures

Very truly yours,

Gary L. Sasso
Gary L. Sasso *js*

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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:
December 28, 2001

**FLORIDA POWER CORPORATION'S
MOTION FOR TEMPORARY PROTECTIVE ORDER**

Florida Power Corporation ("FPC"), by and through undersigned counsel, hereby moves pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6) for entry of a temporary protective order covering certain documents sought in discovery by the Office of Public Counsel and as grounds therefore states as follows:

1. On or about December 19, 2001 the Commission issued an order requiring FPC to produce certain documents in response to Interrogatory number 56 served by the Office of Public Counsel ("OPC"), representing the interests of Florida's Citizens ("Citizens"). In connection with this interrogatory, OPC seeks confidential proprietary information including the income statement and balance sheets of non-regulated and non-public affiliates of FPC. The information contained in these financial statements is sensitive, confidential, proprietary business information that has been treated as such by Florida Power, its parent and affiliates.

2. This information includes confidential financial information plans that if disclosed would harm the competitive business of these non-regulated and non-public companies.

3. Section 366.093(2), Florida Statutes, and Rule 25-22.006(6), Florida Administrative Code, direct that all records produced pursuant to a discovery request for which

DOCUMENT NUMBER - DATE

16155 DEC 28 2001

proprietary confidential status is requested shall be treated by public counsel as confidential and shall be exempt from the public records law, Chapter 119.07(1), Florida Statutes. Florida Power by this motion is seeking protection of these documents and has recorded the appropriate objections to providing such confidential, proprietary business information, but will provide documents responsive to these requests marked as confidential subject to this request, these laws and its objections. By following this procedure and producing these documents, Florida Power is not waiving its right to seek further relief as necessary to make certain that its confidential, proprietary, business information is not publicly disclosed.

4. Florida Power further requests that in connection with the entry of a temporary protective Order the Commission also require public counsel to provide Florida Power with notice of its intent to use such confidential documents in connection with the hearing.

WHEREFORE, Florida Power requests that the Commission enter an Order granting its Motion for Temporary Protective Order relating to documents identified as confidential produced in response to OPC's Third Request for Production of Documents, instructing public counsel to continue to treat them as confidential, and requiring public counsel to provide Florida Power with notice of its intent to use such confidential documents in connection with the hearing.

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 the following this 28 day of December 2001.

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