

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:
January 22, 2002

**PUBLIX SUPER MARKETS, INC.'s THIRD REQUEST TO PRODUCE TO
FLORIDA POWER CORPORATION (Nos. 18 - 26)**

Pursuant to Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P. 1.350, Publix Super Markets, Inc. ("Publix"), by and through its undersigned counsel, request Florida Power Corporation, Florida Progress Corporation, Progress Energy, Inc., and Progress Energy Service Company, LLC (collectively "FPC") to produce the following documents for inspection and copying at the offices of Gray, Harris & Robinson, P.A. at 301 East Pine Street, Suite 1400, Orlando, Florida 32802, or at such other place as may be mutually agreed upon by counsel:

DEFINITIONS

1. The terms "document" or "documents" are meant to have the broadest possible meaning under applicable law and includes, but is not necessarily limited to, any written, recorded, filmed or graphic matter, whether produced, reproduced, or on paper, e-mail, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to memoranda, notes, minutes, records, photographs, correspondence, telegrams, diary's, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals,

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

appointment calendars, records and recordings of oral conversations, work papers, and notes, any of which are in your possession, custody or control.

2. The term “referring or related to” means any oral, graphic, demonstrative, telephonic, verbal, electronic (including e-mail), written, or other conveyance of information, including but not limited to conversations, telecommunications, and documents.

3. The terms “FPC” and “company” encompass Florida Power Corporation, Florida Progress Corporation, Progress Energy, Inc., and Progress Energy Service Company, LLC, together with the officers, employees, consultants, agents, representatives, attorneys and other person or entity acting on behalf of any of these companies.

4. As used herein the terms “you”, “your”, “company” refer to FPC, as defined in the previous paragraph, together with its officers, employees, consultants, agents, representatives and attorneys of FPC, as well as any other person or entity acting on behalf of FPC.

5. Words in the past tense include the present, and words in the present tense include the past. Use of the singular indicates the plural and use indicates the feminine where appropriate, and vice versa.

INSTRUCTIONS

1. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which the privilege is claimed, together with the following information:
Date, sender, recipient, recipient's of copies, subject matter of the document, and the basis upon which such privilege is claimed.
2. These discovery requests are to be answered with reference to all information in your possession, custody or control, or reasonably availability to you.
3. If FPC has possession, custody or control of the originals of the documents requested, please produce the originals or a complete copy of the originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp or notation. If FPC does not have possession, custody, or control of the originals of the documents requested please produce any copies in the possession, custody, or control, however made, of FPC.
4. The term "and" "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this production of documents any document which might otherwise be construed to be outside of the scope.
5. The terms "merger" and "Merger Transaction" shall mean the transaction pursuant to which Carolina Power & Light acquired Florida Power Corporation on or about November 30, 2000.

DOCUMENTS REQUESTED

In reference to each expert identified in response to Interrogatory No. 49 of Publix's Third Set of Interrogatories to Florida Power Corporation, please provide:

18. All direct, rebuttal, or sir-rebuttal testimony filed by the expert in the last five (5) years relating to the same and/or similar topic on which the expert is filing testimony in this proceeding.

19. All workpapers, spreadsheets, electronic files, or other materials referred to and/or relied upon by the expert in the course of preparing his/her testimony in this proceeding.

20. All databases (in electronic format) used by the expert in the course of preparing his/her testimony in this proceeding.

21. All articles published or submitted for publication by the expert in the last five (5) years on the same topic and/or a topic similar to the one that the expert is filing testimony on in this proceeding.

22. All texts, treatises, textbooks, or other materials referred to and/or relied upon by the witness in the course of preparing his/her testimony in this proceeding.

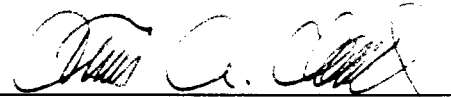
23. All documents, spreadsheets, data, on disk if available, used by the witness in the development of exhibits to his/her testimony, if any.

24. All source documents used to create the exhibits to the witness' testimony.

25. All orders in your possession, custody or control issued by state regulatory commissions on merger related issues.

26. All documents or other materials reviewed for any purpose, even if not relied on, by the witness in the course of preparing his/her testimony in this proceeding.

Respectfully submitted by:



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Attorneys for Publix Super Markets, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Facsimile to the following parties of record and interested parties, this 22nd day of January, 2002:

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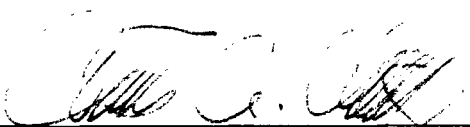
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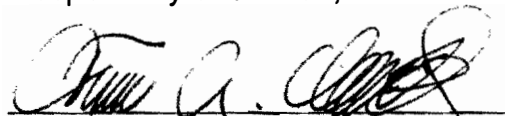
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NOTICE OF SERVICE

Pursuant to Fla. Admin. Code R. 28-106.206, Publix Super Markets, Inc., by and through its undersigned counsel serve this notice that it has served its third set of interrogatories (Nos. 47 - 50) and third request for production of documents (Nos. 18 - 26) to Florida Power Corporation.

Respectfully submitted,



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