

ORIGINAL



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February 7, 2002

Blanca S. Bayo, Director  
Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 000824-EI

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is the original and 15 copies of Citizen's objections to Florida Power Corporation's second request for production of documents.

Please indicate the time and date of receipt on the enclosed duplicate of this letter.

Sincerely,

Charles J. Beck  
Deputy Public Counsel

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_ CJB:bsr
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_ Enclosure
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
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DOCUMENT NUMBER-DATE

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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 )  
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Docket No. 000824-EI

Filed February 7, 2002

**CITIZENS' OBJECTIONS TO FLORIDA POWER CORPORATION'S SECOND  
REQUEST FOR PRODUCTION OF DOCUMENTS TO CITIZENS**

The Citizens of Florida, by and through Jack Shreve, object to Florida Power Corporation's second request for production of documents to Citizens dated January 28, 2002 because the documents sought are not relevant to the subject matter of the pending action and are not likely to lead to the discovery of admissible evidence. Fla. R. Civ. P. 1.280(b)(1).

Florida Power Corporation's request seeks "all invoices and statements, including all billing detail, agreements, documents identifying hourly rates, or other documents pertaining to expenditures made by the Office of Public Counsel in connection with this Rate Case, including those received from attorneys, consultants, contractors, and any other individuals or businesses regarding expenditures in this case." Florida Power Corporation did not seek this same information from any other party.

In a recent proceeding Wedgefield Utilities, Inc., sought essentially the same types of documents from Citizens. Chairman Jaber found that the request was not reasonably calculated to lead to the discovery of admissible evidence and denied the

company's request to require production. See Wedgefield's motion to require production of documents in one week and motion to compel record keeping filed July 3, 2001, in docket 991437-WU; Citizens' response in opposition to Wedgefield's motion filed July 6, 2001; Transcript of Prehearing Conference held on July 9, 2001, at pp. 8-12; Order no. PSC-01-1502-PHO-WU issued July 19, 2001, at 25.

Respectfully submitted,



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

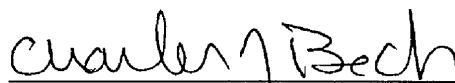
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(850) 488-9330

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 7th day of February, 2002.



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