

ORIGINAL

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

Dated March 7, 2003

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PROGRESS ENERGY'S REQUEST FOR ORAL ARGUMENT AND, IN THE ALTERNATIVE, FOR AN EVIDENTIARY HEARING

Progress Energy Florida, Inc., formerly Florida Power Corporation ("Progress Energy", or the "Company"), through its undersigned attorneys and pursuant to the Commission's Rules and Section 366.071 Fla. Stats., requests oral argument on the Motion to Enforce Settlement Agreement filed by the Office of Public Counsel ("OPC") on its own behalf and on behalf of the Florida Industrial Power Users Group, Florida Retail Federation, Buddy Hansen/Sugermill Woods Civic Association, and Publix Super Markets, Inc. (hereinafter collectively referred to as the "Movants"). In the event that it proves necessary, Progress Energy requests an evidentiary hearing, in the alternative. As grounds therefore, it states as follows:

By their Motion, the Movants are seeking more than a \$23 million refund under the revenue sharing plan adopted as part of the rate settlement ("Settlement Agreement") in this docket. That refund is not authorized under the Settlement Agreement and is contrary to the intent of that agreement and the Commission's Order approving it. The effect of the Movants' request for a refund is to apply the 9.25 percent rate reduction commencing May 1, 2002 retroactively to the period prior to the effective date of the Settlement Agreement. Because of the importance and complexity of the issues raised by the Motion, we believe that it is essential to provide for oral argument in this matter.

After oral argument, we believe that the Commission will be in a position to rule in Progress Energy's favor on the current state of the record. If, however, the Commission believes

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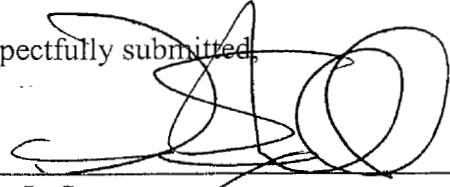
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FPSC-COMMISSION CLERK

that it does not have a sufficient record to rule on the merits in the Company's favor at this time, then in the alternative we would request an evidentiary hearing to resolve this dispute.

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 7th day of March, 2003.

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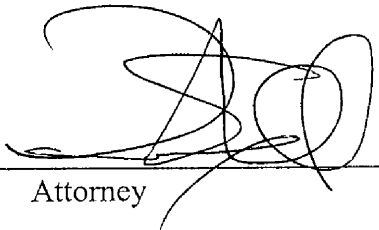
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