

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
ORDER NO. PSC-03-0334-PCO-EI
ISSUED: March 10, 2003

ORDER GRANTING PROGRESS ENERGY FLORIDA, INC.'S
CONSENTED MOTION FOR EXTENSION OF TIME
TO RESPOND TO MOTION TO ENFORCE SETTLEMENT

On February 24, 2003, a Motion to Enforce Settlement Agreement was filed by the Office of Public Counsel, Florida Industrial Power Users Group, Florida Retail Federation, Buddy Hansen/Sugarmill Woods Civic Association, and Publix Super Markets, Inc.

On February 27, 2003, Florida Power Corporation d/b/a Progress Energy Florida, Inc. (Progress Energy), moved pursuant to Rule 25-106.204(5), Florida Administrative Code, for an extension of time in which to respond to the Motion to Enforce Settlement Agreement. As grounds for the extension of time, Progress Energy states that due to the press of other scheduled matters, the seven-day response period is insufficient for its counsel to prepare Progress Energy's response. Progress Energy requests a four-day extension until March 7, 2003 to prepare its response to the Motion to Enforce Settlement Agreement. Progress Energy has consulted with OPC's counsel, who has no objection to the requested extension of time to respond.

Having reviewed the consented motion, it appears that Progress Energy's request is reasonable, and it is therefore granted.

Based on the foregoing, it is

ORDERED by Commissioner Braulio L. Baez, as Prehearing Officer, that Progress Energy of Florida, Inc.'s request for an extension of time to file its response is granted.


DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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By ORDER of Commissioner Braulio L. Baez, as Prehearing Officer, this 10th day of March, 2003.



BRAULIO L. BAEZ
Commissioner and Prehearing Officer

(S E A L)

JSB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and

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Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.