



JAMES A. MCGEE
ASSOCIATE GENERAL COUNSEL
PROGRESS ENERGY SERVICE CO., LLC

March 18, 2003

ORIGINAL

VIA EXPRESS DELIVERY

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 000824-EI

Dear Ms. Bayó:

Enclosed for filing in the subject docket on behalf of Progress Energy Florida, Inc., formerly Florida Power Corporation, are an original and fifteen copies of its Unopposed Motion for Temporary Protective Order.

Please acknowledge your receipt of the above filing on the enclosed copy of this letter and return to the undersigned. Also enclosed is a 3.5 inch diskette containing the above-referenced document in Word format. Thank you for your assistance in this matter.

Very truly yours,

James A. McGee

JAM/scc
Enclosure

cc: Parties of record

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- OPC _____
- MMS _____
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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:
March 19, 2003

**PROGRESS ENERGY FLORIDA'S
UNOPPOSED MOTION FOR TEMPORARY PROTECTIVE ORDER**

Progress Energy Florida, Inc., formerly Florida Power Corporation, ("Progress Energy" or "the Company"), pursuant to Section 366.093, F.S., and Rule 25-22.006(6)(c), F.A.C., hereby moves for the entry of a temporary protective order covering certain documents sought in discovery by the Office of Public Counsel ("OPC") and, as grounds therefore, states as follows:

1. On March 6, 2003, OPC propounded its First Set of Interrogatories and its Second Request for Production of Documents to Progress Energy, to which the Company agreed to respond within 14 days, *i.e.*, by March 20, 2003.

2. The documents responsive to OPC's discovery contain confidential proprietary business information relating to pricing terms and conditions of wholesale power purchase and sales contracts between Progress Energy and certain wholesale customers and suppliers. This information is sensitive, confidential, proprietary business information that has been treated as such by Progress Energy, its parent and affiliates and is information that the Company has agreed to keep confidential. If disclosed, this information would harm the competitive business interests of the Company and those customers and suppliers by giving competitors insight into production costs and levels.

3. Commission Rule 25-22.006(6)(c), F.A.C., provides as follows:

When a utility or other person agrees to allow Public Counsel to inspect or take possession of utility information for the purpose of determining what information is to be used in a proceeding before the Commission, the utility may request a temporary protective order exempting the information from section 119.07(1), F.S. If the information is to be used in a proceeding before the Commission, then the utility must file a specific request for a protective order under paragraph (a) above. If the information is not to be used in a proceeding before the Commission, then Public Counsel shall return the information to the utility in accordance with the record retention requirements of the Department of State.

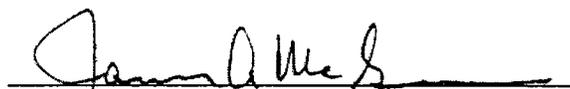
By this motion, Progress Energy seeks protection of these documents in accordance with the above-quoted rule. By following this procedure and producing these documents, the Company does not waive its right to seek further relief as necessary to make certain that its confidential, proprietary, business information is not publicly disclosed.

4. Progress Energy further requests that, in connection with the entry of a temporary protective Order, the Commission also require OPC to provide the Company with notice of its intent to use such confidential documents in a proceeding before the Commission.

5. The undersigned has contacted counsel for OPC and has been authorized to represent that OPC has no objection to this motion for temporary protective order.

WHEREFORE, Progress Energy 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 First Set of Interrogatories and its Second Request for Production of Documents, instructing OPC to continue to treat them as confidential, and requiring OPC to provide Progress Energy with notice of its intent to use such confidential documents in connection with a proceeding before the Commission.

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 on March 18, 2003.

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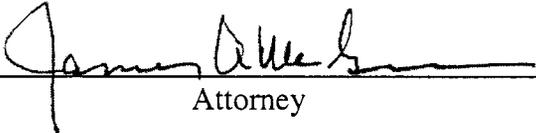
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