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June 10, 2003

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COMMISSION  
CLERK

VIA FEDERAL EXPRESS

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

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

Dear Ms. Bayo:

Progress Energy Florida ("PEF" or the "Company") is filing herewith an original and seven (7) copies of the following:

1. Progress Energy Florida Inc.'s Objections and Responses to Citizens' Second Set of Interrogatories to Progress Energy Florida; and **05163-03**
2. Progress Energy Florida, Inc.'s Objections and Response to Citizens' Third Request for Production of Documents to Progress Energy Florida, Inc. **05164-03**

We request you acknowledge receipt and filing of the above by stamping the additional copy of this letter and returning it to me in the self-addressed, stamped envelope provided.

If you or your Staff have any questions regarding this filing, please contact me at (727) 821-7000.

Very truly yours,

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

*Gary L. Sasso*  
Gary L. Sasso  
*jlc*

AUS \_\_\_\_\_  
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OTH \_\_\_\_\_

Enclosure

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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**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

Submitted for Filing:  
June 11, 2003

**PROGRESS ENERGY FLORIDA, INC'S OBJECTIONS AND RESPONSE TO CITIZENS' THIRD REQUEST FOR PRODUCTION OF DOCUMENTS TO PROGRESS ENERGY FLORIDA, INC.**

Pursuant to § 350.0611(1), Fla. Stat. (2000), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P.1.350, Progress Energy Florida Inc., ("Progress Energy") objects and responds to Florida's Citizens ("Citizens") Third Set of Request for Production of Documents as follows:

**GENERAL OBJECTIONS**

Progress Energy objects to these requests and any definitions or instructions that purport to expand Progress Energy's obligations under applicable law.

Progress Energy objects to the instruction to produce "originals" to the extent it purports to expand Progress Energy's obligations under the Uniform Rules and Florida Rule of Civil Procedure 1.350. Progress Energy will comply with all applicable rules.

Progress Energy incorporates by reference all of the foregoing general objections into each of its specific objections set forth below as though pleaded therein.<sup>1</sup>

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<sup>1</sup> The documents produced herewith are those that are responsive within the scope of permissible discovery ordered by the Public Service Commission's Order of June 6, 2003, and therefore are not subject to the attorney-client privilege, the work product privilege, or other privileges recognized by Florida law. Accordingly, Progress Energy has not withheld as privileged any document within the scope of the discovery permitted by the Public Service Commission's June 6, 2003 order. Progress Energy reserves the right to assert privileges, where applicable, in response to future discovery requests, should they occur.

**DOCUMENTS REQUESTED**

**4. Please provide all documents in your possession, custody or control provided by you (including, but not limited, by your employees, agents, attorneys, and independent contractors) to any member of the staff of the Florida Public Service Commission or any Florida Public Service Commission concerning refund or refunds required by your stipulation and settlement dated as of March 27, 2003.**

Subject to the limitations contained in the Commission's June 6, 2003 Order, Progress Energy will produce documents responsive to this request. No responsive documents have been withheld under a claim of privilege or work product.

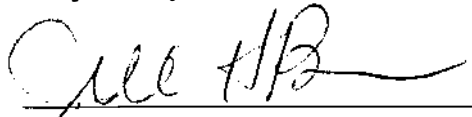
**5. Please provide all e-mails, memoranda and other communications or documents in your possession, custody or control regarding the settlement agreement dated as March 27, 2002, meetings or communications with Florida Public Service Commission staff members, meetings or communications with Florida Public Service Commissions, or the amount of the refund or refunds required under the stipulation and settlement dated as of March 27, 2002.**

Subject to the limitations contained in the Commission's June 6, 2003 Order, Progress Energy will produce documents responsive to this request. No responsive documents have been withheld under a claim of privilege or work product.

**6. Please provide all e-mails, memoranda, or other communications or documents in your possession, custody or control regarding actions or communications by contractors or consultants regarding the amount of refund or refunds required under the stipulation and settlement dated as of March 27, 2002.**

Subject to the limitations described in Progress Energy's Motion for Protective Order to Limit the Scope of Discovery, Progress Energy will produce documents responsive to this request. No responsive documents have been withheld under a claim of privilege or work product.

Respectfully submitted,



James A. McGee  
PROGRESS ENERGY SERVICE COMPANY, LLC  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of foregoing has been furnished via U.S. Mail  
(unless otherwise indicated) to the following this \_\_\_\_\_ day of June, 2003.

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