

TOM LEE
President

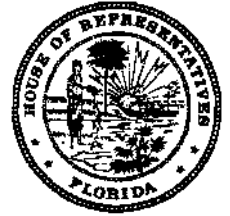


Harold McLean
Public Counsel

ORIGINAL
STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

ALLAN BENSE
Speaker



November 23, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED - FPSC
NOV 23 PM 3:23
COMMISSION
CLERK

RE: Docket No. 040001-EI, In Re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are the original and fifteen (15) copies of the Office of Public Counsel's First Request for Production of Documents to Tampa Electric Company (No.1) for filing in the above referenced docket.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Patricia A. Christensen
Associate Public Counsel

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

PC/pwd
Enclosures

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER: DATE

12555 NOV 23 04

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power)
cost recovery clause with)
generating performance incentive)
factor.)
_____)

DOCKET NO. 040001-EI
FILED: November 23, 2004

**CITIZENS' FIRST SET OF
REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 1)
TO TAMPA ELECTRIC COMPANY**

Please take notice that the Citizens served the original and one copy of its Requests for Production of Documents (Nos.1) to Tampa Electric Company (Tampa Electric) on November 23, 2004.

The documents are to be served on the Citizens at the Office of Public Counsel, c/o the Florida Legislature, 111 West Madison Street, Claude Pepper Building, Room 812, Tallahassee, Florida 32399-1400. Copies are to be served on all parties in accordance with applicable Rules of Civil Procedure.

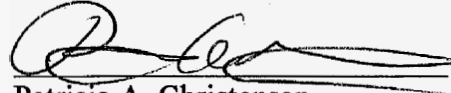
DEFINITIONS

As used herein, in word "documents" shall mean the original and any non-identical copies of any writing or record, including but not limited to a book, pamphlet, periodical, letter, memorandum, telegram, report, study, interoffice or intra-office, handwritten or other notes, working papers, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced.

PRODUCTION OF DOCUMENTS REQUESTS

1. Please provide copies of all responses to Production of Document requests Nos. 5-7 served by Commission staff on the company.

Respectfully submitted,



Patricia A. Christensen
Florida Bar No. 0989789
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
(850) 488-9330

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 23rd day of November, 2004, to the following:

James Beasley
Lee Willis
Ausley Law Firm
Post Office Box 391
Tallahassee, FL 32302

John McWhirter, Jr.
McWhirter Reeves Law Firm
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Bill Walker
Florida Power & Light
215 South Monroe Street, Suite 818
Tallahassee, FL 32301-1859

R. Wade Litchfield
Florida Power & Light
700 Universe Boulevard
Juno Beach, FL 33408-0420

James A. McGee
Florida Progress Energy
Post Office Box 14042
St. Petersburg, FL 33733-4042

John T. English/George Bachman
Florida Public Utilities Company
Post Office Box 3395
West Palm Beach, FL 33402-3395

Susan D. Ritenour
Richard McMillan
Gulf Power Company
One Energy Place
Pensacola, FL 32520-0780

Joseph McGlothlin
Vicki Gordon Kaufman
McWhirter Law Firm
117 South Gadsden Street
Tallahassee, FL 32301

Norman H. Horton, Jr.
Messer Law Firm
Post Office Box 1876
Tallahassee, FL 32302-1876

John T. Butler, P.A.
Steel Law Firm
200 S. Biscayne Boulevard, Suite 4000
Miami, FL 33131-2398

Angela Llewellyn
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601-0111

Joe Regnery, Esq.
Island Center
2701 N. Rocky Point Drive, Suite 1200
Tampa, FL 3307


Cochran Keating
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Moyle Law Firm
Jon C. Moyle/Bill Hollimon
118 N. Gadsden Street
Tallahassee, FL 32301

Powers Systems Mfg., LLC
1440 W. Indiantown Road, Suite 200
Jupiter, FL 33458

Thomas K. Churbuck
911 Tamarind Way
Boca Raton, FL 33486

Ms. Bonnie E. Davis
106 East College Ave, Suite 800
Tallahassee, FL 32301-7740

A handwritten signature in black ink, appearing to read 'Patricia A. Christensen', written over a horizontal line.

Patricia A. Christensen
Associate Public Counsel