

**TOM LEE**  
President



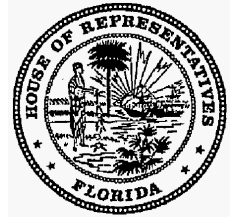
**Harold McLean**  
Public Counsel

**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

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[WWW.FLORIDAOPC.GOV](http://WWW.FLORIDAOPC.GOV)

**ALLAN BENSE**  
Speaker



**Patricia A. Christensen**  
Associate Public Counsel

February 8, 2005

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

RE: Docket No. 041414-EI, In Re: Progress Energy Florida, Inc.'s petition for approval of long-term fuel supply and transportation contracts for Hines Unit 4 and additional system supply and transportation.

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 Progress Energy Florida, Inc. (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,

A handwritten signature in black ink, appearing to read "Patricia A. Christensen".

Patricia A. Christensen  
Public Counsel

PC/pd  
Enclosures

DOCUMENT NUMBER-DATE  
01415 FEB-8 05  
FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Progress Energy Florida, Inc.'s  
petition for approval of long-term fuel  
supply and transportation contracts for  
Hines Unit 4 and additional system  
supply and transportation.

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Docket No. 041414-EI

Filed: February 8, 2005

**CITIZENS' FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS (NO. 1) TO PROGRESS ENERGY FLORIDA**

The Office of Public Counsel files notice that it has served its First Request for Production of Documents to Progress Energy Florida, Inc. by hand delivery to Paul A. Lewis, Jr., Progress Energy Florida, Inc., 106 E. College Ave, Suite 800, Tallahassee, FL 32301-7740, and U.S. Mail to: R. Alexander Glenn, Progress Energy Florida, Inc., 100 Central Avenue, Suite 1D, St. Petersburg, FL 33701, on this 8<sup>th</sup> day of February 2005.



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

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the Office of Public Counsel's First Request for Production of Documents (No. 1) to Progress Energy Florida, Inc. has been furnished by hand delivery(\*) and U.S. Mail on this 8th day of February, 2005, to the following:

R. Alexander Glenn  
Progress Energy Service Company  
100 Central Avenue  
St. Petersburg, Florida 33701-3324

Adrienne Vining(\*)  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Paul A. Lewis, Jr.  
Progress Energy Florida  
106 E. College Ave, Suite 800  
Tallahassee, FL 32301-7740

Carlton Fields Law Firm  
Gary Sasso/John Burnett  
P.O. Box 3239  
Tampa, FL 33607-5736



Patricia A. Christensen  
Associate Public Counsel

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Progress Energy Florida, Inc.'s  
petition for approval of long-term fuel  
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**CITIZENS' FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS (NO. 1) TO PROGRESS ENERGY FLORIDA**

Pursuant to § 350.0611(1), Fla. Stat. (2002), Fla. Admin. Code R. 28-106.206, and Fla. R. Civ. P.1.350, Florida's Citizens ("Citizens") request Progress Energy Florida ("Progress") to produce the following documents for inspection and copying at the Office of Public Counsel, Claude Pepper Building, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400, on or before March 10, 2005, or at such other time and place as may be mutually agreed upon by counsel.

**DEFINITIONS**

1. The terms "document" or "documents" are meant to have the broadest possible meaning under applicable law and includes, but is not necessarily limited to, any written, recorded, filmed or graphic matter, whether produced, reproduced, or on paper, e-mail, cards, tapes, film, electronic facsimile, computer storage device or any other media, including, but not limited to, memoranda, notes, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial

statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, agreements, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, work papers, and notes, any of which are in your possession, custody, or control.

2. The term "referring or relating to" means any oral, graphic, demonstrative, telephonic, verbal, electronic (including e-mail), written or other conveyance of information, including but not limited to conversations, telecommunications, and documents.

3. The terms "Progress" and "company" encompass Progress Energy Florida, together with the officers, employees, consultants, agents, representatives, attorneys, and any other person or entity acting on behalf of Progress Energy Florida.

4. As used herein the terms "you," "your," and "company" refer to Progress Energy Florida, as defined in the previous paragraph, together with the officers, employees, consultants, agents, representatives, and attorneys of Progress Energy Florida, as well as any other person or entity acting on behalf of Progress Energy Florida.

5. Words in the past tense include the present, and words in the present tense include the past. Use of the singular includes the plural, and use of the masculine includes the feminine where appropriate, and vice versa.

## INSTRUCTIONS

1. If any document is withheld under any claim of privilege, please furnish a list identifying each document for which privilege is claimed, together with the following information: date, sender, recipients, recipients of copies, subject matter of the document, and the basis upon which such privilege is claimed.

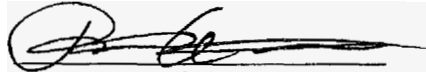
2. These discovery requests are to be answered with reference to all information in your possession, custody or control, or reasonably available to you.

3. If Progress Energy Florida has possession, custody, or control of the originals of the documents requested, please produce the originals or a complete copy of the originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp or notation. If Progress Energy Florida does not have possession, custody, or control of the originals of the documents requested, please produce any copies in the possession, custody, or control, however made, of Progress Energy Florida.

4. Please construe "and" as well as "or" either disjunctively or conjunctively as necessary to bring within the scope of this production of documents any document which might otherwise be construed to be outside the scope.

DOCUMENTS REQUESTED

1. Please provide copies of all responses to Staff's Discovery propounded on Progress Energy Florida, Inc. by Commission Staff including Staff's First Set of Interrogatories (Nos. 1-51) and Staff's First Request for Production of Documents (Nos. 1-4).



Patricia A. Christensen  
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Office of Public Counsel  
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**CERTIFICATE OF SERVICE**

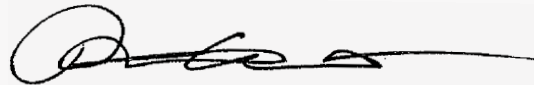
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