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Attorneys and Counselors

Writer's Direct Dial No.
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February 1, 2005

BY HAND DELIVERY

Blanca Bayó
Director Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: Docket No. 050001-EI
Request for Temporary Protective Order

Dear Ms. Bayó:

Enclosed for filing on behalf of Progress Energy Florida, Inc., (PEF) are the original and seven copies of PEF's Request for Temporary Protective order, along with a diskette containing the Notice in Word format.

By copy of this letter, I am providing a copy of the pleading to all parties in this docket.

Please stamp and return the enclosed extra copy of this filing. If you have any question regarding this filing, please contact the undersigned.

Very truly yours,

HOPPING GREEN & SAMS, PA.

By:


Gary V. Perko

Attorneys for Progress Energy Florida, Inc.

Enclosures

cc: certificate of service

DOCUMENT NUMBER-DATE

01143 FEB-1 2005

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Progress Energy Florida, Inc.'s Request for Temporary Protective Order in Docket No. 050001-EI has been furnished by hand-delivery (*) or regular U.S. mail to the following this 15 day of February, 2005.

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Florida Public Utilities Company
Ms. Cheryl Martin
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchase power cost)	Docket No. 050001-EI
recovery clause with generating)	
incentive performance factor)	Filed: February 1, 2005
)	

**PROGRESS ENERGY FLORIDA'S REQUEST
FOR TEMPORARY PROTECTIVE ORDER**

Progress Energy Florida, Inc. ("Progress Energy"), by and through its undersigned counsel and pursuant to Section 366.093, Florida Statutes, and Rule 25-22.006(6)(c), Florida Administrative Code, hereby requests a temporary protective order exempting from disclosure certain confidential information being produced in response to Citizen's Third Request for Production of Documents (No. 8). In support, states:

1. On this date, Progress Energy is serving its responses to Staff's Fifth Request for Production of Documents (Nos. 11-16) and Citizen's Third Request for Production of Documents (No. 8-9). Portions of the documents responsive to No. 16 of Staff's Request for Production contain confidential proprietary business information of Progress Energy. Citizen's Request for Production No. 8 essentially adopts Staff's request and therefore encompasses the same confidential information.

2. The documents discussed above contain proprietary confidential business information regarding trade secrets, contractual and bid information, and information relating to competitive interests the disclosure of which would cause irreparable harm to Progress Energy within the meaning of Section 366.093(3), Florida Statutes. The information for which confidential classification is sought is intended to be and is treated by Progress Energy as private.

3. Progress Energy has filed with the Commission a Notice of Intent to Request Confidential Classification for the documents, along a "Confidential" envelope containing copies of the documents with the confidential information highlighted in yellow.

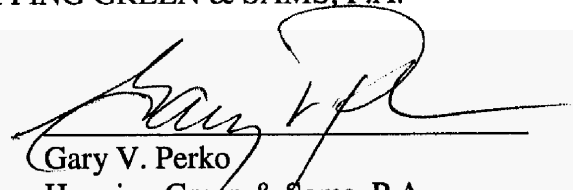
4. A "Confidential" envelope containing copies of the documents with the confidential information highlighted in yellow also is being provided to the Office of Public Counsel pursuant to this Request for Temporary Protective Order as contemplated in Rule 25-22.006(6)(c), Florida Administrative Code.

5. A specific request for a protective order will be filed pursuant to Rule 25-22.006(6)(a), Florida Administrative Code, if the confidential information is to be used in a formal proceeding before the Commission.

RESPECTFULLY SUBMITTED this 1st day of February, 2005.

HOPPING GREEN & SAMS, P.A.

By:



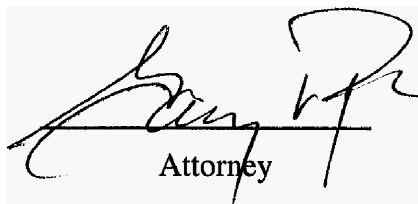
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