Progress Energy

October 17, 2005

The Honorable Charles Terreni
Chief Clerk and Administrator
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: A Request for an Allowable Ex Parte Communication Briefing Pursuant to S.C. Code Ann. § 58-3-260 et seq., Regarding Impact of the Federal Energy Policy Act of 2005

Dear Mr. Terreni:

Carolina Power & Light Company, d/b/a Progress Energy Carolinas, Inc., Duke Power Company, and South Carolina Electric & Gas Company wish to make an allowable ex parte communication briefing to the Public Service Commission of South Carolina regarding the portions of the Federal Energy Policy Act of 2005, signed into law by President Bush on August 8, 2005, that appear to be of the greatest interest to the Commission. Accordingly, the parties request a briefing pursuant to S.C. Code Ann. § 58-3-260 et seq., regarding this matter.

While the Energy Policy Act of 2005 will require state commissions, such as the Public Service Commission of South Carolina, to conduct certain hearings, no such hearings have at this time been scheduled. Therefore, S.C. Code Ann. § 58-3-260(C)(6)(a)(vi) is not applicable and the 20 business day notice requirement should not be applied.

The parties' wish to make the presentation twice in order to accommodate the Commissioners' schedules. The first presentation would be held immediately following the conclusion of the hearing scheduled for October 26, 2005 in Docket No. 2005-191-E. The second presentation would be held November 1, 2005 from 10:30 a.m. to 12:30 p.m. Both presentations would be held at the Commission's Offices at 101 Executive Center Drive, Columbia, South Carolina 29210.

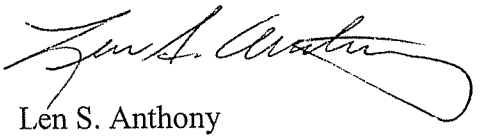
The names of each Commissioner and Commission employee whom the parties wish to brief are as follows: Commissioners Randy Mitchell, G. O'Neal Hamilton, John E. Howard, David A. Wright, Elizabeth B. Fleming, Mignon L. Clyburn, C. Robert Moseley and Commission employees Charles L. A. Terreni, Esq., Joseph Melchers, Esq., Dr. James Spearman, Philip D. Riley, Jocelyn Boyd, Esq., F. David Butler, Esq., Tom Ellison, Norbert Thomas, and Doug Pratt.

Progress Energy Service Company, LLC
P.O. Box 1551
Raleigh, NC 27602

The subject matters to be discussed at the briefing are the aspects of the Federal Energy Policy Act of 2005 that will materially impact the Commission and/or the utilities regulated by the Commission.

The parties request that you or your staff post this request for a briefing on the Commission's website as soon as possible, in compliance with S.C. Code Ann. § 58-3-260(C)(6)(a)(v).

Very truly yours,



Len S. Anthony
Deputy General Counsel-Regulatory Affairs

LSA:mhm

cc: C. Dukes Scott, Esq.

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