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May 1, 1997

960807-WU

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Via FAX Transmittal - 904/656-4029

Marshall Deterding, Esquire
ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blirstone Pines Drive
Tallahassee, FL 32301

Re: **Marion County vs. Windstream Utilities Co.
Amended Notices of Deposition**

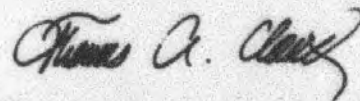
Dear Mr. Deterding:

Attached hereto are amended notices of taking the depositions of Butch and Shari Dlouhy and George McDonald. The County contacted us today, May 1, 1997, to inform us that there was a conflict with Conference Room B. They have now assigned us the Law Library. Please note the change. If you have any questions, please give me a call.

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
LIN cc: _____
OPC _____
RCH _____
SEC 1 _____
WAS _____
OTH _____

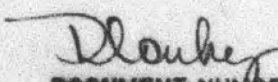
cc: Donna Cyrus-Williams, Esquire, via FAX transmittal - 904/413-6250

Sincerely yours,



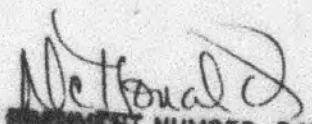
Thomas A. Cloud, Esquire

GRAY, HARRIS & ROBINSON, P.A.


DOCUMENT NUMBER-DATE

04384 MAY-25

MELBOURNE ORLANDO
(407) 727-8888 (407) 843-8880
FPSC-RECORDS/REPORTING


DOCUMENT NUMBER-DATE

04385 MAY-25

TALLAHASSEE
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for amendment)
of Certificate No. 427-W to add)
territory in Marion County by)
Windstream Utilities Company.)

Docket No. 960887-WU

AMENDED
NOTICE OF TAKING DEPOSITION
DUCES TECUM

TO: All counsel of record and those on the attached service list.

PLEASE TAKE NOTICE that on Wednesday, May 7, 1997, Marion County, Florida will take the depositions of:

<u>TIME</u>	<u>DEPONENT</u>	<u>PLACE</u>
9:00 a.m.	Butch Dlouhy	Marion County Administration Bldg. Law Library 601 S.E. 25th Avenue Ocala, FL 34471-2690
1:00 p.m.	Shari Dlouhy	Marion County Administration Bldg. Law Library 601 S.E. 25th Avenue Ocala, FL 34471-2690

upon oral examination before **Owen & Associates**, or any other court reporter or officer authorized by law to take depositions. The oral examination will continue until testimony is completed. The deponent shall bring with him any and all documents listed on the attached Schedule "A" to this deposition notice.

This deposition is being taken for the purpose of discovery, for use at trial or for such other purpose as authorized by law and the Rules of Civil Procedure.

Schedule "A"

Definitions

The following definitions apply to this schedule:

1. And/Or. The conjunctions "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

2. Application. The term "Application" means the Application for amendment of Certificate No. 427-W to add territory in Marion County by Windstream Utilities Company, together with all documents pertaining to the Application and the instant proceedings before the PSC.

3. Communication. The term "communication" means the transmittal of information (in the form of facts, ideas, inquiries or otherwise) in any direct or indirect manner. When testimony regarding a communication is requested, the request includes the identity of all participants to the communication, whether the communication was written or oral, the date of the communication and the substance of the communication.

4. Concerning. The term "concerning" means relating to, referring to, describing, evidencing or constituting.

5. County. The term "County" means Marion County, Florida.

6. Document. The term "Document" is intended to include and does include any and all kind of written, typewritten, printed, pictorial or recorded material whatsoever, both original in form and copies thereof, including, but without limitation, plans, construction documents, specifications, drawings, notes, transcripts of notes, memoranda, letters, telegrams, publications, agreements, pictures, blueprints, schematics, contracts, tape

recordings, transcriptions of recordings, log books, contracts, microfiche recordings, ledgers, invoices, delivery tickets, change orders, work orders, purchase orders, canceled checks, correspondence, interoffice and intraoffice memoranda or communications, action request forms, speed memos, directives, instructions, orders, rules, investigations and/or reports thereof, applications, orders, rules, amendments, supplements, endorsements, modifications, errata sheets, records of examinations, assessments, stipulations, instruments, leases, purchase options, telephone log books, diaries, and all other written, typewritten, printed, pictorial or recorded material of similar description. A draft or non-identical copy is a separate document within the meaning of this term.

"Document" includes all intra-party documents to the party to whom this request is directed and all documents provided to firms, businesses, entities and individuals external to the party to whom this request is directed.

7. Person. The term "person" includes individuals, corporations, partnerships, other business or charitable associations or entities and any government or governmental body, commission, board or agency.

8. Pertaining. The term "pertaining" includes relating to, appertaining to, applying to, bearing upon, to being connected to and/or having reference to.

9. Property Owners. The term "Property Owners" means persons owning or having a possessory interest in any real property within or adjacent to the territory that is the subject of the Application herein.

10. Provided. The term "provided" includes mailed, delivered, submitted, conveyed, surrendered, communicated, sent, uttered and/or supplied.

11. PSC. The term "PSC" means the Florida Public Service Commission.
12. Service Inquiries. The term "Service Inquiries" means letters, memos, documents, or any evidence of communications between you and the Property Owners or potential utility customers pertaining to inquires about utility service in the Subject Area.
13. Singular/Plural. The use of the singular form or any word includes the plural and vice versa.
14. Subject Area. The term "Subject Area" means the existing Windstream Utilities certificated area, proposed additions or amendments to the certificated area, and areas adjacent or proximate to the certificated area.
15. Windstream. The term "Windstream" means Windstream Utilities Co., Inc., and any of its officers, directors, employees, agents, shareholders, servants, subcontractors, predecessors-in-interest, successors-in-interest, subsidiaries, parent companies, or any other entity relevant to the Application in these proceedings.
16. You/Your/McDonald. The terms "you," "your," or "McDonald" mean George McDonald.

Note

When a person or party is referred to, such reference herein includes the person's agents, subsidiaries, parents, affiliates, attorneys, representatives or persons acting on his, her or its behalf.

Schedule of Documents to be Produced

You are requested to bring to the deposition the following documents:

1. Any and all Service Inquiries.

2. Any and all Developer Agreements between you and any Property Owners or potential utility customers in the subject area.

3. Any and all documents you used in preparing the Application, or upon which the Application is based (including, but not limited to, engineering reports, letters, maps, designs, permits, sketches, correspondence, or other legal documents).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and 7 copies, was served together with the document on diskette, via hand delivery/U.S. Mail to:

- (1) Blanca S. Bayo, Director
Division of Records and Reporting
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
904/413-6770

With a copy via hand delivery/U.S. Mail to:

- (2) Donna Cyrus-Williams, Esquire
Florida Public Service Commission, Legal Division
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
904/413-6222
Counsel for the PSC
- (3) Martin S. Friedman, Esquire
ROSE, SUNDSTROM & BENTLEY
2548 Blairstone Pines Drive
Post Office Box 1567
Tallahassee, FL 32302-1567
904/877-6555
Counsel for Windstream Utilities Co.
- (4) Carlyle Ausley
AUSLEY CONSTRUCTION COMPANY
1107 E. Silver Springs Blvd., #2
Ocala, FL 34470
- (5) Joseph Lettelleir
JB Ranch
300 S. Duncan Avenue, Suite 296
Clearwater, FL 34615

this 1st day of May, 1997.

Thomas A. Cloud

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Facsimile: (904) 222-3494

cc: Shelly Owen, Court Reporter
OWEN & ASSOCIATES
110 N. 1st Avenue, 2nd Floor Reporter
Ocala, FL 34475