

AUSLEY & McMULLEN

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TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

October 8, 2003

HAND DELIVERED

RECEIVED-FPSC
03 OCT -8 PM 4:31
COMMISSION
CLERK

Ms. Blanca S. Bayo, Director
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Application of Cargill Fertilizer, Inc. to engage in self-service wheeling of waste heat cogenerated power to, from and between points within Tampa Electric Company's Service Territory; FPSC Docket No. 020898-EQ

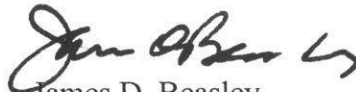
Dear Ms. Bayo:

Enclosed for filing in the above docket are the original and fifteen (15) copies of the Notice of Deposition Duces Tecum filed on behalf of Tampa Electric Company.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/bjd
Enclosure

cc: All Parties of Record (w/enc.)

AUS
CAF
CMP
COM
CTR
ECR
GCL
OPC
MMS
SEC
OTH

DOCUMENT NUMBER-DATE

09796 OCT-88

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition By Cargill Fertilizer, Inc. for)
permanent approval of self-service wheeling to,)
from and between points within Tampa Electric)
Company's service territory)

Docket No. 020898-EQ

Filed: October 8, 2003

NOTICE OF DEPOSITION DUCES TECUM

To:

John W. McWhirter, Jr.
McWhirter Reeves McGlothlin
Davidson Kaufman & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33601-3350

Vicki Gordon Kaufman
McWhirter Reeves McGlothlin
Davidson Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301

Rosanna Gervasi
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

PLEASE TAKE NOTICE THAT pursuant to Fla.R.Civ.P. 1.310, the undersigned will take the deposition of the following witnesses for Cargill Fertilizer, Inc. before a court report of Michael Musetta & Associates at the offices of McWhirter Reeves McGlothlin Davidson Kaufman & Arnold, P.A., 400 North Tampa Street, Suite 2450, Tampa Florida 33601-3350 as follows:

PERSON:	DATE & TIME:	Direct Call in No.	Passcode
Roger Fernandez	9:30 AM October 14, 2003	(785) 832-1077	40032
Gerard J. Kordecki	Immediately following Mr. Fernandez	(785) 832-1077	40032

This deposition is being taken for the purpose of discovery, for use at trial and for such other purposes as are permitted under the Florida Rules of Civil Procedure.

DOCUMENT NUMBER-DATE

09796 OCT-8 2003

FPSC-COMMISSION CLERK

The examination of the deponents may continue from day to day until completed or may be adjourned to be reconvened at such later date as may be established by those in attendance at such deposition.

The designation of materials to be produced is as follows:

The deponents will bring with them all documents that they used in preparation of their rebuttal testimony and all documents referred to in the rebuttal testimony. The requested documents shall include all discovery responses Cargill received from Tampa Electric which either deponent may claim was not fully responsive to the discovery propounded on behalf of Cargill.

PLEASE BE GOVERNED ACCORDINGLY.

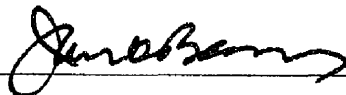
DATED this 8th day of October, 2003.

Respectfully Submitted,

HARRY W. LONG JR.
Assistant General Counsel – Regulatory
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601
(850) 228-1702

and

LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32303
(850) 224-9115

By:  _____

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Deposition Duces Tecum, filed on behalf of Tampa Electric Company, has been furnished by hand delivery (*) or U. S. Mail on this 8th day of October, 2003 to the following:

Ms. Rosanne Gervasi*
Staff Counsel
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Ms. Vicki Gordon Kaufman*
Mr. Joseph A. McGlothlin
Mr. Timothy J. Perry
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Mr. John W. McWhirter, Jr.
McWhirter, Reeves, McGlothlin,
Davidson, Kaufman & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, FL 33601-3350

Michael Musetta & Assoc., Inc.
Attn: Lisa Simons-Clark
One Tampa City Center, Suite 3400
201 N. Franklin St.
Tampa, FL 33602



ATTORNEY

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