

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Complaints by Southeastern )  
Utilities Services, Inc. on behalf )  
of various customers against ) Docket No.: 030623  
Florida Power and Light ) Filed: January 8, 2004  
Company concerning thermal )  
demand meter error. )

**SOUTHEASTERN UTILITIES SERVICES, INC.**  
**RE-NOTICE OF TAKING DEPOSITION DUCES TECUM**

TO: Kenneth A. Hoffman, Esquire  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
215 South Monroe Street, Suite 420  
Tallahassee, Florida 32301

PLEASE TAKE NOTE, THAT PURSUANT TO Florida Rule of Civil Procedure 1.310,  
Southeastern Utilities Services, Inc. ("SUSI") will take the following depositions at the times and  
locations indicated:

Keith Herbster  
Florida Power & Light Company  
9250 West Flagler Street, Room 1606  
Miami, Florida 33174  
January 27, 2004  
9:00 a.m. and

Brian Faircloth  
Florida Power & Light Company  
9250 West Flagler Street, Room 1606  
Miami, Florida 33174  
January 27, 2004  
1:00 p.m.

The deponents shall bring to this deposition copies of documents as set forth in Exhibit A.  
"Documents" shall mean the original and any non-identical copies of any writing or record,  
including, but not limited to, a book, pamphlet, periodical, letter, memorandum, telegram, report,

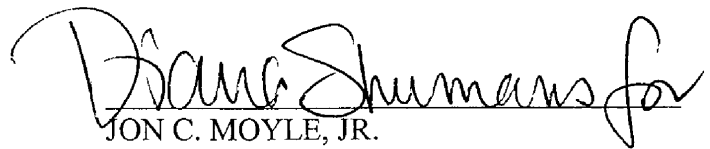
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study, interoffice or intraoffice, handwritten or other notes, working paper, draft, application, permit, chart, paper, graph, survey, index, tape, disc, data sheet or data processing card, computer printout, or any other written, recorded, transcribed, filed or graphic matter, however produced or reproduced. "You", "your", "Company" or "FPL" refers to Florida Power and Light Company, its employees and authorized agents.

The foregoing will take place before a court reporter, notary public, or before some other officer authorized by law to take depositions. Said deposition is to be used for discovery purposes, for use at trial, or both, and will continue from day-to-day until complete.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact Jon C. Moyle, Jr., Esquire at 850/681-3828. If hearing impaired, call 1/800-955-8771 (TDD) or 1/800/955-8770 (V) via Florida Relay Service for assistance.

PLEASE GOVERN YOURSELVES ACCORDINGLY.



JON C. MOYLE, JR.

Florida Bar No. 727016

CATHY M. SELLERS

Florida Bar No. 0784958

MOYLE, FLANIGAN, KATZ, RAYMOND  
& SHEEHAN, P.A.

The Perkins House

118 North Gadsden Street

Tallahassee, Florida 32301

(850) 681-3828 (telephone)

(850) 681-8788 (facsimile)

Attorneys for Southeastern Utilities  
Services, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by hand delivery to those listed below with an asterisk and the remainder by U.S. Mail without an asterisk this day the 9th day of January, 2004.


Keating Cochran, Esquire  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Bill Walker  
Florida Power & Light Company  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301

\*Kenneth A. Hoffman  
Rutledge, Ecenia, Purnell & Hoffman  
Post Office Box 551  
Tallahassee, FL 32302-0551

R. Wade Litchfield  
Law Department  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, FL 33408-0420

Daniel Joy  
785 SunTrust Bank Plaza  
1800 Second Street  
Sarasota, FL 34236

  
Jon C. Moyle, Jr.

## **Exhibit A**

All documents you relied upon when calibrating 1-V thermal demand meters.

All documents relating to 1-V thermal demand meters provided to you by Landis and Gyr.

All documents relating to the thermal demand meters found on page 2 of this document.

All correspondence you have received, including e-mails, relating 1-V thermal demand meters.

All documents regarding how 1-V thermal demand meters are to be tested for accuracy.

All documents regarding the percent of scale that 1-V thermal demand are tested to determine accuracy.

All documents regarding temperature affects upon thermal demand meters.

All documents you have regarding the accuracy of 1-V thermal demand meters.