

ORIGINAL

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May 18, 2004

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RECEIVED-FPSC  
04 MAY 19 AM 9:58  
COMMISSION  
CLERK

By Federal Express Airbill No. 8464 0354 7852

Blanca Bayo, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumark Oak Blvd.  
Tallahassee, FL 32399-0850

Re: In Re: Application of Farmton Water Resources, LLC for original Water  
Certificate in Volusia and Brevard Counties, Florida, Docket No. 021256-WU

Dear Ms. Bayo:

This firm represents the City of Titusville in the above-referenced matter. I enclose an original and two copies of the following documents:

1. Notice of Taking Deposition Duces Tecum of Earl Underhill; and
2. Notice of Taking Deposition Duces Tecum of Michael Thomas.

05708-04  
05709-04

CMP \_\_\_\_\_

COM \_\_\_\_\_ I request that you file the original of these pleadings in the PSC's file. Please forward one copy of each pleading to Staff Personnel. I also request that you date stamp the second copy and return them to me in the self-addressed stamped envelope.

CTR \_\_\_\_\_

ECR \_\_\_\_\_ Thank you for your attention to this matter. If you have any questions or comments, please call me \_\_\_\_\_

GCL \_\_\_\_\_

OPC \_\_\_\_\_

MMS \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

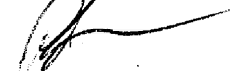
SEC 1 + cover ltr.

OTH PJM/jwd  
Enclosures

#163948

Sincerely,

de la PARTE & GILBERT, P.A.

  
Patrick J. McNamara

DOCUMENT NUMBER-DATE

05708 MAY 19 04

FPSC-COMMISSION CLERK

STATE OF FLORIDA  
PUBLIC SERVICE COMMISSION

IN RE: )

)  
Application of Farmton Water Resources, )  
LLC for original Water Certificate in Volusia )  
and Brevard Counties, Florida )  
\_\_\_\_\_ )

DOCKET NO. 021256-WU

**NOTICE OF TAKING DEPOSITION DUCES TECUM**

PLEASE TAKE NOTICE that the CITY OF TITUSVILLE will take the following deposition:

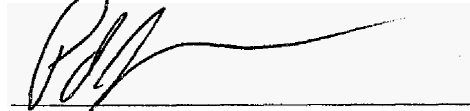
<u>NAME</u>	<u>DATE &amp; TIME</u>	<u>LOCATION</u>
Earl Underhill	June 7, 2004 10:00 a.m.	Storch & Morris P.A. 420 South Nova Road Daytona Beach, FL 32114 <b>Call In Number: (210) 839-1195</b> <b>Participant Code: 384104#</b>

by oral examination before a member of the firm of Volusia Reporting Company, or before some other person duly authorized to administer oaths, who is not of counsel to either of the parties or interested in the event of the cause, for the purpose of discovery, for use at trial, and for such other uses and purposes as are permitted under the Florida Rules of Civil Procedure, Florida Administrative Code, and Florida Statutes, and to have with you at said time and place the following:

1. Any and all documents (not privileged) reviewed, referenced, relied upon, referred to, analyzed or regarding Farmton's application and the issues in this case.
2. Any and all documents evidencing or regarding agreements or contracts between Farmton Water Resources, LLC and Farmton Management LLC.

3. Any and all documents evidencing or regarding agreements or contracts between Farnton Water Resources, LLC and the Miami Corporation.

Respectfully Submitted,



Edward P. de la Parte, Jr.  
Florida Bar No. 236950  
Patrick McNamara  
Florida Bar No. 699837  
Charles Fletcher  
Florida Bar No. 0093920  
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Telephone: (813) 229-2775  
Facsimile: (813) 229-2712  
Counsel for City of Titusville, Florida

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served by **U.S.**


**Mail** to the following on 5-18, 2004:

Scott L. Knox, Esquire  
Brevard County Attorney  
2725 Judge Fran Jamieson Way  
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Jennifer A. Rodan, Esq.  
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William J. Bosch, III, Esquire  
Volusia County Attorney  
123 West Indiana Avenue  
DeLand, FL 32720-4613



Patrick J. McNamara

cc: Volusia Reporting Company