

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION
CLERK

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

DOCKET NO. 040001-EI

FILED: OCTOBER 20, 2004

NOTICE OF TELEPHONIC DEPOSITION

TO: John T. Butler, Esquire
Steel Hector & Davis Law Firm
200 South Biscayne Blvd.
Suite 4000
Miami, FL 33131-2398

NOTICE is hereby given that the Staff of the Florida Public Service Commission will take the telephonic deposition of Thomas Hartman, upon oral examination before an official court reporter or other officer authorized by law to take depositions, at the following time and location indicated:

2:00 p.m., Thursday, October 28, 2004
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408

This deposition will be held by telephone "meet me" conference call. Please call the following number **850-487-8856** or **Suncom 277-8856** at 2:00 p.m. to participate. The court reporter and Commission counsel will be at the following location:

Florida Public Service Commission
Gunter Building, Conference Room 382-D.
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

Any witness who elects to be deposed telephonically must have at their location a Notary Public to administer the Oath to the witness.

Please bring with you copies of all the work papers or other materials used by you in the preparation of any testimony filed in this docket or used by you in the preparation of any responses to staff's discovery requests in this docket.

DOCUMENT NUMBER-DATE
11291 OCT 20 04
FPSC-COMMISSION CLERK

CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF _____)

I, the undersigned authority, certify that _____
personally appeared before me at _____ and was
duly sworn by me to tell the truth.

WITNESS my hand and official seal in the City of _____, County of
_____, State of _____, this day of _____, 2004.

Notary Public
State of _____

Personally know _____ OR produced identification _____

Type of identification produced _____

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factor. | DOCKET NO. 040001-EI
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one true and correct copy of STAFF'S NOTICE OF TELEPHONIC DEPOSITION OF THOMAS HARTMAN TO STEEL HECTOR & DAVIS LAW FIRM has been served by U. S. Mail to John T. Butler, Esquire, Steel Hector & Davis Law Firm and that a true and correct copy thereof has been furnished to the following, by U. S. Mail this 20th day of October, 2004:

Ausley & McMullen Law Firm
James Beasley/Lee Willis
P. O. Box 391
Tallahassee, FL 32302

Florida Power & Light Company
Bill Walker
215 South Monroe Street, Ste. 810
Tallahassee, FL 32301-1859

Florida Industrial Power Users Group
c/o John McWhirter, Jr.
McWhirter Reeves Law Firm
400 N. Tampa Street, Ste. 2450
Tampa, FL 33602

Florida Public Utilities Company
George Bachman
P. O. Box 3395
West Palm Beach, FL 33402-3395

Gulf Power Company
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McWhirter Reeves Law Firm
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Jeffrey Stone/Russell Badders
P. O. Box 12950
Pensacola, FL 32591-2950

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