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COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power Cost )
Recovery Clause and Generating ) DOCKET NO. 040001-EI
Performance Incentive Factor ) October 26, 2004

RE-NOTICE OF TAKING DEPOSITION
DUCES TECUM OF TERRY MORRISON

TO: R. Wade Litchfield
Natalie Smith
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

PLEASE TAKE NOTE, THAT PURSUANT TO Florida Rule of Civil Procedure 1.310
the undersigned will take the following depositions at the times and locations indicated:

Terry Morrison

700 Universe Blvd.
Media Conference Room
Building A
Juno Beach, FL 33480

Friday, October 29, 2004
1:00 p.m.

CMP COM CTR ECR GCL OPC MMS RCA SCR SEC OTH
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. Deponent
shall bring with him to the deposition all documents relied upon in executing on behalf of FPL,
the Contract for Scherer Unit 3, the Contract for Harris Unit 1, and the Contract for Franklin Unit
1, that are at issue in this Docket.

Individuals with disabilities needing a reasonable accommodation to participate in this

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[Signature]

FPSC-BUREAU OF RECORDS

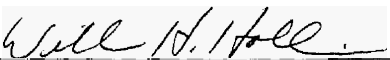
DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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.

  
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Attorneys for Thomas K. Churbuck

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Federal Express to those listed below with an asterisk and the remainder by U.S. Mail without an asterisk this day the 26<sup>th</sup> day of October, 2004.

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