

ORIGINAL

TOM LEE
President

ALLAN BENSE
Speaker



STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL



c/o THE FLORIDA LEGISLATURE
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850-488-9330

Harold McLean
Public Counsel

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Joseph A. McGlothlin
Associate Public Counsel

January 21, 2005

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

05 JAN 21 PM 3:25
COMMISSION
CLERK
FPSC

RE: Docket No. 041291-EI

Dear Ms. Bayó:

Enclosed are an original and three copies of a Notice of Deposition for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Joseph A. McGlothlin
Associate Public Counsel

CMP _____

COM JAM/dsb

CTR Enclosures

ECR _____

GCL ee: _____ National Reporting Services

OPC _____ (via facsimile)

MMS _____

RCA _____ RECEIVED & FILED

SCR _____

SEC 1 ¹⁹ FPSC-BUREAU OF RECORDS

OTH _____

DOCUMENT NUMBER-DATE

00775 JAN 21 05

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm Reserve balance, by Florida Power & Light Company

Docket No. 041291-EI

Filed: January 21, 2005

NOTICE OF DEPOSITION

TO: R. Wade Litchfield
Natalie Smith
700 Universe Boulevard
Juno Beach, FL 33408

NOTICE is hereby given that the undersigned or another attorney with the Office of Public Counsel will take the deposition of the following individual at the corporate offices of Florida Power & Light Company ("FPL") located at 9250 West Flagler Street, Miami, Florida on Friday, January 28, 2005:

K. Michael Davis	3:30 p.m.
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This deposition shall be taken upon oral examination before an official court reporter or other officer authorized by law to take depositions. This deposition is being taken for purposes of discovery, for use at trial, or for any other purposes allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

Mr. Davis is requested to bring to the deposition his prefiled testimony and all documents and materials on which he relied in the preparation of the prefiled testimony.

Any person requiring some accommodation at these depositions because of a physical impairment should call the Office of Public Counsel at (800) 342-0222 at least

48 hours prior to the deposition. Any person who is hearing or speech impaired, should contact the Office of Public Counsel by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

For parties who wish to attend by telephone the call-in number is: Non-Suncom (850) 921-6580; Suncom 291-6580.

PLEASE GOVERN YOURSELF ACCORDINGLY.


Joseph A. McGlothlin

Associate Public Counsel
Florida Bar No. 163771
Office of Public Counsel
111 West Madison Street, Room 812
c/o The Florida Legislature
Tallahassee, FL 32399-0850

(850) 488-9330

Attorney for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Notice of Deposition has been furnished by e-mail and U.S. Mail this 21st day of January, 2005, to the following:

Cochran Keating
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

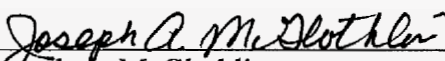
Michael B. Twomey, Esquire
Post Office Box 5256
Tallahassee, FL 32314-5256

Florida Power & Light Company
Mr. Bill Walker
Vice President, Regulatory Affairs
215 S. Monroe Street, Suite 810
Tallahassee, FL 32301-1859

R. Wade Litchfield
Natalie Smith
700 Universe Boulevard
Juno Beach, FL 33408

Vicki Gordon Kaufman, Esquire
Timothy J. Perry, Esquire
McWhirter, Reeves, Davidson,
Kaufman & Arnold, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, Davidson,
Kaufman & Arnold, P.A.
400 North Tampa, Street, Ste. 2450
Tampa, FL 33602



Joseph A. McGlothlin
Associate Public Counsel