

ORIGINAL

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FLORIDA CABLE
TELECOMMUNICATIONS ASSOCIATION,
INC., COX COMMUNICATIONS GULF
COAST, L.L.C., *et. al.*

Complainants,

v.

GULF POWER COMPANY,

Respondent.

E.B. Docket No. 04-381

To: Office of the Secretary

Attn: The Honorable Richard L. Sippel
Chief Administrative Law Judge

NOTICE OF DEPOSITION OF RESPONDENT GULF POWER COMPANY

PLEASE TAKE NOTICE that, pursuant to 47 C.F.R. § 1.315, commencing on
September 14, 2005 at 9:30 a.m. Central Time and continuing as necessary, counsel for
Complainants will take the deposition upon oral examination of Respondent, Gulf Power

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Company. By agreement, the deposition will be taken at the offices of Beggs & Lane, LLP, 501
Commendancia Street, Pensacola, Florida 32591, before a person authorized to administer oaths
and take testimony. The deposition will be recorded by stenographic means and/or sound or
video. The deposition will be used for purposes of discovery and/or for use as evidence at a
trial/hearing.

Respondent, Gulf Power Company, is hereby directed to identify and produce for

deposition one or more persons who consent to testify on its behalf and are most knowledgeable
regarding the matters set forth below:

DOCUMENT NUMBER-DATE

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- Gulf Power’s utility poles and pole inventory;
- Complainants’ attachments on Gulf Power’s poles;
- Gulf Power’s pole attachment procedures and methods;
- the capacity of Gulf Power’s poles;
- Gulf Power’s pole counts;
- the entities attached to Gulf Power’s poles;
- entities who have sought attachment to Gulf Power poles but who have not obtained attachments;
- Gulf Power’s pole make-ready procedures and costs;
- Gulf Power’s pole change-outs and costs;
- compensation paid by pole attachers to Gulf Power;
- Gulf Power’s contentions pertaining to alleged “higher valued uses” of space on poles occupied by Complainants;
- the marginal costs to Gulf Power of Complainants’ pole attachments;
- any actual losses or lost opportunities that Gulf Power claims were caused by Complainants’ attachments;
- the calculations and bases for any “just compensation” pole rate claimed by Gulf Power;
- the methodologies underlying Gulf Power’s calculations pertaining to pole attachment rates, including the Sales Comparison Approach, Current Replacement Cost Approach, and the Federal Concessions Leasing Model;
- negotiations between Gulf Power and pole attachers pertaining to make-ready and pole attachment rates;
- Gulf Power’s Distribution Studies and load planning documents;

- Gulf Power's development plans as they pertain to its utility poles;
- Gulf Power's reservations of pole space; and
- the contentions made in Gulf Power's pleadings in this matter, including its Petition for Reconsideration and Request for Evidentiary Hearing, its Statement on Alternative Cost Methodology, and its "Description of Evidence Gulf Power Seeks to Present in Satisfaction of the Eleventh Circuit's Test."

Respectfully submitted,

Michael A. Gross
Vice President,
Regulatory Affairs and
Regulatory Counsel
**FLORIDA CABLE
TELECOMMUNICATIONS ASS'N, INC.**
246 East Sixth Ave., Suite 100
Tallahassee, FL 32303
(850) 681-1990



John D. Seiver
Geoffrey C. Cook
Rita Tewari
COLE, RAYWID & BRAVERMAN, LLP
1919 Pennsylvania Avenue, N.W.
Suite 200
Washington, DC 20006
(202) 659-9750

Counsel for

**FLORIDA CABLE TELECOMMUNICATIONS
ASSOCIATION, COX COMMUNICATIONS GULF
COAST, L.L.C., COMCAST CABLEVISION OF
PANAMA CITY, INC., MEDIACOM SOUTHEAST,
L.L.C., and BRIGHT HOUSE NETWORKS, L.L.C.**

August 31, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Notice of Deposition of Respondent Gulf Power Company* has been served upon the following by electronic mail and U.S. Mail on this the 31st day of August, 2005:

J. Russell Campbell
Eric B. Langley
Jennifer M. Buettner
BALCH & BINGHAM LLP
1710 Sixth Avenue North
Birmingham, Alabama 35203-2015

Lisa Griffin
Federal Communications Commission
445 12th Street, S.W. – Room 5-C828
Washington, D.C. 20554

Ralph A. Peterson
BEGGS & LANE, LLP
501 Commendancia Street
Pensacola, Florida 32591

Sheila Parker
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Rhonda Lien
Federal Communications Commission
445 12th Street, S.W. – Room 4-C266
Washington, D.C. 20554

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

James Shook
Federal Communications Commission
445 12th Street, S.W. – Room 4-A460
Washington, D.C. 20554

David H. Solomon
Federal Communications Commission
445 12th Street, S.W. – Room 7-C485
Washington, D.C. 20554

John Berresford
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554



Debra Sloan