

# ORIGINAL

**Timolyn Henry**

**From:** DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Thursday, March 15, 2007 4:27 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** MAHARAJ-LUCAS.ASHA  
**Subject:** RE: 060658-EI Filing  
**Attachments:** 060658crossdepo.amended031507.doc

Phyllis W. Davis  
 Sr. Administrative Assistant  
 On behalf of Joseph A. McGlothlin  
 Office of Public Counsel  
 111 W. Madison Street, Room 812  
 Tallahassee, FL 32399-1400  
 Email: [mcglothlin.joseph@leg.state.fl.us](mailto:mcglothlin.joseph@leg.state.fl.us)  
 Phone: (850) 488-9330  
 Fax: (850) 488-4491  
[www.floridaopc.gov](http://www.floridaopc.gov)

1. **Docket Number: 060658-EI; Petition on behalf of Citizens of the State of Florida to require Progress Energy Florida, Inc. to refund customers \$143 million.**
2. Attached for filing on behalf of Office of Public Counsel is OPC's Amended Notice to Cross-Notice of Telephonic Deposition Duces Tecum Scheduled by Commission Staff.
3. There are a total of four (4) pages for filing.

CMP \_\_\_\_\_  
 COM \_\_\_\_\_  
 CTR   1    
 ECR \_\_\_\_\_  
 GCL \_\_\_\_\_  
 OPC \_\_\_\_\_  
 RCA \_\_\_\_\_  
 SCR \_\_\_\_\_  
 SGA \_\_\_\_\_  
 SEC \_\_\_\_\_  
 OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

02387 MAR 15 6

FPSC-COMMISSION CLERK

3/15/2007

# ORIGINAL

## BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition on behalf of Citizens of the State of Florida to require Progress Energy Florida, Inc. to refund customers \$143 million.

DOCKET NO. 060658-EI

DATED: March 15, 2007

### AMENDED NOTICE TO CROSS-NOTICE TELEPHONIC DEPOSITION DUCES TECUM SCHEDULED BY COMMISSION STAFF

TO: John T. Burnett, Esquire  
R. Alexander Glenn, Esquire  
Progress Energy Service Company, LLC  
P. O. Box 14042  
299 1<sup>st</sup> Avenue, North  
St. Petersburg, FL 33733-4042

AMENDED NOTICE is hereby given that the Office of Public Counsel cross-notices the deposition of the following named individual at the following location and time indicated:

Wayne Toms	Monday, March 19, 2007 9:00 a.m.	Room 382-D, Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399 Witness may participate telephonically, dial-in number for all parties will be provided by email.
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upon oral examination before an official court reporter or other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

The Notice previously sent on March 13, which erroneously indicated a different location, should be disregarded. As discussed with Staff and Counsel for OPC, the undersigned may participate at the same location as the deponent.

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 case or used by you in the preparation of any responses to Staff's discovery requests in this docket.

DOCUMENT NUMBER-DATE

02387 MAR 15 5

FPSC-COMMISSION CLERK

This deposition is being taken for purposes of discovery, for use at trial, or for any other purpose allowed under the Florida Rules of Civil Procedure, the Uniform Rules of Procedure, and the Rules of the Florida Public Service Commission.

Any person requiring some accommodation at this deposition because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the deposition. Any person who is hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

Please govern yourselves accordingly.

s/Joseph A. McGlothlin  
Joseph A. McGlothlin  
Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(850) 488-9330

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing Amended Notice To Cross-Notice Telephonic Deposition Duces Tecum Scheduled By Commission Staff has been furnished by electronic mail and U.S. Mail on this 15<sup>th</sup> day of March, 2007, to the following:

James Beasley  
Lee Willis  
Ausley Law Firm  
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John McWhirter, Jr.  
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Tampa, FL 33602

Bill Walker  
Florida Power & Light Co.  
215 S. Monroe St., Suite 810  
Tallahassee, FL 32301-1859

R. Wade Litchfield  
Florida Power & Light Co.  
700 Universe Blvd.  
Juno Beach, FL 33408-0420

Paul Lewis  
Progress Energy Florida, Inc.  
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Captain Damund Williams  
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s/Joseph A. McGlothlin  
Joseph A. McGlothlin  
Associate Public Counsel