

AUSLEY & MCMULLEN

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ORIGINAL
MAY 11 1997

May 8, 1997

HAND DELIVERED

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FILE COPY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Determination of appropriate cost allocation and regulatory treatment of total revenues associated with wholesale sales to Florida Municipal Power Agency and City of Lakeland by Tampa Electric Company;
FPSC Docket No. 970171-EU

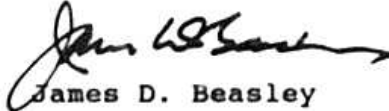
Dear Ms. Bayo:

Enclosed for filing in the above docket are two copies of Tampa Electric Company's Notice of Deposition Duces Tecum.

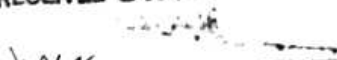
Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

- ACK _____
- AFA _____
- APP _____
- CAF _____ JDB/pp
- _____ Enclosures
- CMU _____
- CTR _____ cc: All Parties of Record (w/enc.)
- EAG _____
- LEG _____
- ... _____
- ... _____
- RCH _____
- SI _____
- WAS _____
- OTH _____

RECEIVED & FILED

OFFICE OF RECORDS

DOCUMENT NUMBER-DATE
04582 MAY-86
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Determination of appropriate)
cost allocation and regulatory)
treatment of total revenues associated)
with wholesale sales to Florida)
Municipal Power Agency and City of)
Lakeland by Tampa Electric Company.)

DOCKET NO. 970171-EU
FILED: May 8, 1997

NOTICE OF DEPOSITION DUCES TECUM

TO: James McGee, Esquire
Florida Power Corporation
3201 34th Street, South
St. Petersburg, FL 33711

NOTICE is hereby given that Tampa Electric Company will take the deposition of the following named individual:

William C. Slusser
Florida Power Corporation
3201 34th Street, South
St. Petersburg, FL 33711

This deposition will be taken at the following location and time concurrently with the deposition noticed on April 30, 1997 by the Staff of the Florida Public Service Commission ("FPSC"):

9:30 a.m., Tuesday, May 13, 1997
Room 362, Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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.

Definitions

"Florida Power Corporation," "You," "your," "company" or "FPC" refers to Florida Power Corporation, its directors, officers, employees, agents, attorneys, staff, assigns, predecessor, successors, representatives, subsidiaries, parents, branches, departments, affiliates and divisions.

"Document" or "documents" refer to all written or graphic matter, drafts, originals and non-conforming copies which contain deletions, insertions, handwritten notes or comments, however produced or reproduced, or to any other tangible permanent record

DOCUMENT NUMBER-DATE

04582 MAY-86

FPSC-RECORDS/REPORTING

without limitation, including, but not limited to, all handwritten, typewritten and computerized matter. Any copy containing thereon or having attached thereto any alterations, notes, comments, or other material not included in the original or copies referred to in the preceding definition shall be deemed a separate document within said definition.

A document or communication "relating to" a given subject means any document or communication that constitutes, contains, embodies, comprises, reflects, identifies, states, refers to, deals with, comments on, responds to, describes, analyzes or is in any way pertinent to that subject, including, without limitation, documents concerning the presentation of other documents.

If any documents otherwise required to be produced by this subpoena are withheld, you shall identify the documents by stating their date, author, recipients, type of documents, length of document, and the reason for withholding.

This subpoena for production of documents requests production of documents in your possession, or subject to your custody or control.

This subpoena is continuing and any document obtained or located subsequent to production which would have been produced had it been available or its existence known at the time is to be supplied forthwith.

Please bring with you copies of all the work papers or other materials used by you in preparation for this deposition as well as the following specific items:

1. All documents relating to any discussions or contacts by the witness or any other employee of Florida Power Corporation with any employee of the FPSC on the subject of the revenue sharing or any other type of incentive associated with wholesale sales of electricity.
2. All documents relating to any discussions or contacts by the witness or any other employee of Florida Power Corporation with any employee of the FPSC with regard to Tampa Electric Company's off-system wholesale sales to the Florida Municipal Power Agency (FMPA) or the City of Lakeland that are the subject matter of this docket.
3. All documents which in any way quantifies or discusses any harm to Florida Power Corporation or Florida Power Corporation's customers under Tampa Electric's AR-1 Tariff caused by Tampa Electric's wholesale sales to the City of Lakeland or FMPA or any other Tampa Electric wholesale sales.

4. All other documents provided to the FPSC or the FPSC's Staff in connection with this docket.

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 and the rules of the Florida Public Service Commission.

Please govern yourselves accordingly.



LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302
(904) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Deposition Duces Tecum, filed on behalf of Tampa Electric Company, has been furnished by U. S. Mail or hand deliver (*) on this 8th day of May, 1997 to the following:

Ms. Leslie Paugh*
Staff Counsel
Division of Legal Services
Florida Public Service
Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850


Mr. Gary Lawrence
City of Lakeland
501 East Lemon Street
Lakeland, FL 33801-5079

Ms. Vicki Gordon Kaufman
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas, P.A.
117 South Gadsden Street
Tallahassee, FL 32301

Mr. John W. McWhirter
McWhirter, Reeves, McGlothlin,
Davidson, Rief & Bakas
Post Office Box 3350
Tampa, FL 33601

Mr. Robert Williams
FMPA
7201 Lake Ellinor Drive
Orlando, FL 32809

Mr. John Roger Howe
Office of Public Counsel
c/o The Florida Legislature
111 West Madison St., Room 812
Tallahassee, FL 32399-1400


ATTORNEY