

JAMES E. "JIM" KING, JR.

PRESIDENT



Charles J. Beck  
Interim  
Public Counsel

STATE OF FLORIDA  
OFFICE OF THE PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
850-488-9330

JOHNNIE BYRD

SPEAKER



October 28, 2003

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

RE: Docket No. 030001-EI

Dear Ms. Bayó:

Enclosed for filing in the above-referenced docket are three copies of the Office of Public Counsel's Notice of Deposition.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Vandiver".

Robert Vandiver  
Associate Public Counsel

RV/pwd  
Enclosures

DOCUMENT NUMBER DATE

10661 OCT 28 03

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power )  
cost recovery clause with )  
generating performance incentive )  
factor. )  
\_\_\_\_\_ )

Docket No.030001EI  
Filed: October 28, 2003

**NOTICE OF DEPOSITION**

TO: James D. Beasley, Esquire  
Ausley & McMullen  
227 South Calhoun Street  
Tallahassee, Florida 32301

NOTICE is hereby given that Robert Vandiver, Esquire, of the Office of Public Counsel will take the deposition of the following named individual:

William T. Whale  
9:00 a.m., Tuesday, November 4, 2003  
Office of Public Counsel  
111 W. Madison Street, Room 812  
Tallahassee, FL

To participate by telephone, dial the following number promptly at 9:00 am on Tuesday, November 4, 2003.

(850) 921-2583 or Suncom: 291-2583

This deposition is being taken for the 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 bring with you copies of any work papers used in preparation of your testimony, the testimony of William Zaetz and Michael Majoros, and the deposition of Buddy Maye taken May 13, 2003.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by U.S. Mail on this 15th day of October, 2003, to the following:

James Beasley  
Lee Willis  
Ausley Law Firm  
Post Office Box 391  
Tallahassee, FL 32302

John McWhirter, Jr  
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400 North Tampa Street, Suite 2450  
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Bill Walker  
Florida Power & Light  
215 South Monroe Street, Ste 818  
Tallahassee, FL 32301-1859

R. Wade Litchfield  
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Florida Power Corporation  
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St. Petersburg, FL 33733-4042

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Florida Public Utilities Company  
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Post Office Box 1876  
Tallahassee, FL 32302-1876

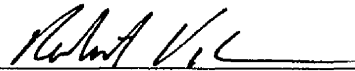
John T Butler, P.A.  
Steel Law Firm  
200 S. Biscayne Blvd. Ste. 4000  
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Angela Llewellyn  
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Cochran Keating  
Division of Legal Services  
Florida Public Service Commission  
2450 Shumard Oak Boulevard  
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Ronald C. LaFace  
Greenberg Traurig  
P.O. Box 1838  
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