

ORIGINAL

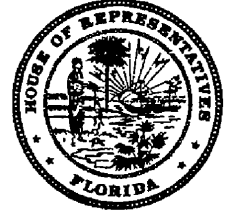
JAMES E. "JIM" KING, JR.
President

JOHNNIE BYRD
Speaker



STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

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



Harold McLean
Public Counsel

December 10, 2003

RECEIVED FPSC
03 DEC 10 PM 3:15
COMMISSION
CLERK

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. 030438-EI

Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Notice of Deposition Duces Tecum 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,

Stephen C. Burgess
Deputy Public Counsel

SCB/dsb
Enclosures

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC 1
- OTH _____

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Max
FPSC-BUREAU OF RECORDS

DOCUMENT NO.
12-10-03
12789-03

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate
increase by Florida Public
Utilities Company.

DOCKET NO. 030438-EI
FILED: December 10, 2003

NOTICE OF DEPOSITION DUCES TECUM

TO: Norman H. Horton, Jr., Esquire
Messer, Caparello & Self
Post Office Box 1876
Tallahassee, FL 32302-1876

NOTICE is hereby given that Stephen C. Burgess of the Office of Public Counsel will take the depositions of George M. Bachman, Cheryl Martin, Mehrdad Khojasteh, Jim Mesite, Jr. and P. Mark Cutshaw at the following time and location indicated:

George M. Bachman: 10:00 a.m. Monday, December 15, 2003
Cheryl Martin, Mehrdad Khojasteh and Jim Mesite, Jr. immediately following Mr. Bachman if parties in attendance agree.

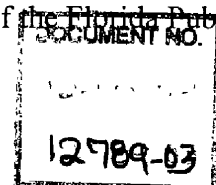
P. Mark Cutshaw: 9:00 a.m. Tuesday, December 16, 2003

Florida Public Utilities
410 S. Dixie Highway
West Palm Beach, FL 33401

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.

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 OPC's discovery requests in this docket.

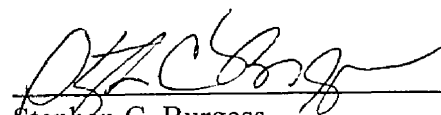
This deposition is being taken for purposes of discovery, for use at trial, or for any other purposes allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public



Service Commission.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Respectfully submitted,



Stephen C. Burgess
Deputy Public Counsel

Office of Public Counsel
111 W. 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

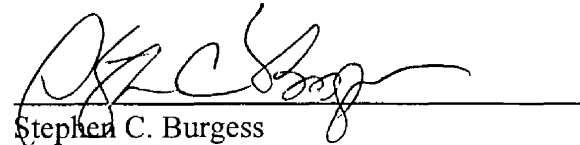
CERTIFICATE OF SERVICE
DOCKET NO. 030438-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Deposition
Duces Tecum has been furnished by hand-delivery(*) or U.S. Mail to the following parties on
this 10th day of December, 2003:

Jennifer Brubaker, Esquire*
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Norman H. Horton, Jr., Esquire*
Messer Law Firm
Post Office Box 1876
Tallahassee, Florida 32302-1876

Florida Public Utilities
Post Office Box 3395
West Palm Beach, Florida 33402-3395



Stephen C. Burgess
Deputy Public Counsel