

# AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

227 SOUTH CALHOUN STREET  
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TALLAHASSEE, FLORIDA 32301  
(850) 224-9115 FAX (850) 222-7560

March 19, 2004

HAND DELIVERED

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

Re: Review of Tampa Electric Company's waterborne transportation contract with  
TECO Transport and associated benchmark; FPSC Docket No. 031033-EI


Dear Ms. Bayo:

Enclosed for filing in the above docket is the original and one copy of Tampa Electric  
Company's Notice of Deposition Duces Tecum of William B. McNulty.

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

JDB/pp  
Enclosures

cc: All Parties of Record (w/enc.)  
Accurate Stenotype Reporters (w/enc.)

DOCUMENT NUMBER-DATE

03703 MAR 19 2004

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Tampa Electric Company's )  
Waterborne transportation contract with ) DOCKET NO. 031033-EI  
TECO Transport and associated benchmark. ) FILED: March 19, 2004  
\_\_\_\_\_ )

**NOTICE OF DEPOSITION DUCES TECUM**

TO: Mr. Wm. Cochran Keating III  
Senior Attorney  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

PLEASE TAKE NOTICE THAT pursuant to Fla.R.Civ.P. 1.310, the undersigned will take the deposition of the following witness for the Staff of the Florida Public Service Commission before a court reporter of Accurate Stenotype Reporters, Inc. in the downstairs conference room of the offices of Ausley & McMullen, 227 South Calhoun Street, Tallahassee, Florida 32302, as follows:

**Deponent:** William B. McNulty  
**Date & Time:** 9:00 A.M., Friday, April 2, 2004

This deposition is being taken for the purpose of discovery, for use at trial and for such other purposes as are permitted under the Florida Rules of Civil Procedure.

Please bring with you all documents relied upon by you in preparing Supplemental Direct Testimony of William B. McNulty that was filed in Florida Public Service Commission Docket 030001-EI on October 23, 2003.

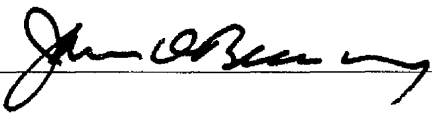
The examination of the deponent may continue from day to day until completed or may be adjourned to be reconvened at such later date as may be established by those in attendance at such deposition.

PLEASE BE GOVERNED ACCORDINGLY.

DATED this 19<sup>th</sup> day of February 2004.

Respectfully submitted,

LEE L. WILLIS  
JAMES D. BEASLEY  
JOHN P. FONS  
Ausley & McMullen  
Post Office Box 391  
Tallahassee, FL 32303  
(850) 224-9115

By:  \_\_\_\_\_  
ATTORNEYS FOR TAMPA ELECTRIC COMPANY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Deposition, filed on behalf of Tampa Electric Company, has been furnished electronically (\*) or U. S. Mail on this 19<sup>th</sup> day of March 2004 to the following:

Mr. Wm. Cochran Keating III\*  
Senior Attorney  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

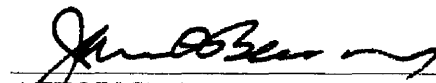
Ms. Vicki Gordon Kaufman  
Mr. Timothy J. Perry  
McWhirter, Reeves, McGlothlin,  
Davidson, Kaufman & Arnold, P.A.  
117 S. Gadsden Street  
Tallahassee, FL 32301

Mr. Robert Vandiver  
Associate Public Counsel  
Office of Public Counsel  
111 West Madison Street – Suite 812  
Tallahassee, FL 32399-1400

Mr. John W. McWhirter, Jr.  
McWhirter, Reeves, McGlothlin,  
Davidson, Kaufman & Arnold, P.A.  
400 North Tampa Street, Suite 2450  
Tampa, FL 33601-5126

Mr. Michael B. Twomey  
Post Office Box 5256  
Tallahassee, FL 32314-5256

Mr. Robert Scheffel Wright  
Mr. John T. LaVia, III  
Landers & Parsons, P.A.  
310 West College Avenue  
Tallahassee, FL 32301

  
\_\_\_\_\_  
ATTORNEY