

# 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

May 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

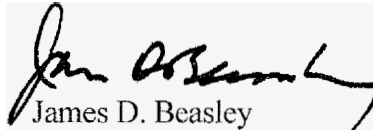
Dear Ms. Bayo:

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

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  
Enclosure

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

DOCUMENT NUMBER-DATE  
05704 MAY 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: May 19, 2004  
\_\_\_\_\_ )

**NOTICE OF DEPOSITION DUCES TECUM**

TO: Mr. Robert Scheffel Wright  
Mr. John T. LaVia, III  
Landers & Parsons, P.A.  
Post Office Box 271  
Tallahassee, FL 32302

PLEASE TAKE NOTICE THAT pursuant to Rule 1.310, Florida Rules of Civil Procedure, the undersigned will take the deposition of the following witness for CSX Transportation 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:** John B. Stamberg  
**Date & Time:** 9:30 A.M., Thursday, May 20, 2004

For the convenience of the deponent, Mr. Stamberg will be deposed via teleconference to his physical location at the offices of CSX Transportation, 500 Water Street, Jacksonville, FL 32302. A call in number will be furnished to counsel of record prior to the deposition.

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.

The deponent will bring with him to his deposition all documents relied upon by him in preparing his Direct Testimony filed in this proceeding.

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 May 2004.

Respectfully submitted,

LEE L. WILLIS  
JAMES D. BEASLEY  
JOHN P. FONS  
RICHARD E. DORAN  
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 18<sup>th</sup> day of May 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

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