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July 26, 2004

Ms. Blanca S. Bayo, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Room 110
Tallahassee, Florida 32399-0850

HAND DELIVERY

RECEIVED-FPSC
04 JUL 26 PM 1:33
COMMISSION
CLERK

Re: Docket No. 030623-EI

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket on behalf of Florida Power & Light Company ("FPL") are the original and two copies of FPL's Notice of Taking Deposition Duces Tecum of Bill Smith and George Brown.

Please acknowledge receipt of these documents by stamping the extra copy of this letter filed and returning the copy to me.

Thank you for your assistance with this filing.

CMP _____
COM _____
CTR 1
ECR _____
GCL KAH/rl
OPC Enclosures
 FPL\bayo.7261tr
MMS _____
RCA _____
SCR _____
SEC 1
OTH _____

Sincerely,



Kenneth A. Hoffman

Smith - 08085-04
Brown 08086-04

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

08085 JUL 26 3

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaints by Southeastern Utility Services,) Inc. on behalf of various customers, against) Florida Power & Light Company concerning) thermal demand meter error)

Docket No. 030623-EI

Filed: July 26, 2004

**FLORIDA POWER & LIGHT COMPANY'S
NOTICE OF TAKING DEPOSITION DUCES TECUM**

TO: Jon C. Moyle, Jr., Esq.
William Hollimon, Esq.
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

NOTICE is hereby given that the undersigned counsel will take the deposition of BILL SMITH upon oral examination before an official court reporter or other officer authorized by law to take depositions at the following location and time indicated:

August 25, 2004 (Wednesday), at 8:30 a.m.
Baber Freelance Reporters
1001 Third Avenue West
Suite 350
SunTrust Bank Building
Bradenton, FL 34205
(941) 748-5722 (Telephone)

Please bring with you copies of all work papers or other documents or materials used by or relied upon by Mr. Smith in the preparation of any testimony filed by Mr. Smith in this case or used by or relied upon by Mr. Smith in the preparation of any responses to Florida Power & Light Company's ("FPL") discovery requests in this docket.

DOCUMENT NUMBER-DATE

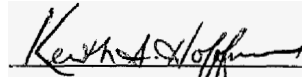
08085 JUL 26 4

FPSC-COMMISSION CLERK

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, and will continue from day-to-day until complete.

Please govern yourself accordingly.

Respectfully submitted,



Kenneth A. Hoffman, Esq.

J. Stephen Menton, Esq.

Rutledge, Ecenia, Purnell & Hoffman, P.A.

P. O. Box 551

Tallahassee, Florida 32302

Telephone: 850-681-6788

- - and - -

Natalie Smith, Esq.

Law Department

Florida Power & Light Company

700 Universe Boulevard

Juno Beach, Florida 33408-0420

Telephone: 561-691-7101

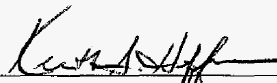
Attorneys for Florida Power & Light Company

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Notice of Taking Deposition Duces Tecum has been furnished by Hand Delivery this 26th day of July, 2004, to the following:

Cochran Keating, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Room 370
Tallahassee, Florida 32399-0850

Jon C. Moyle, Jr., Esq.
William Hollimon, Esq.
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, FL 32301

By: 
Kenneth A. Hoffman, Esq.

FPL\deponotice.1