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August 19, 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  
AUG 19 PM 12:59  
COMMISSION  
CLERK

Re: Docket No. 030623-EI

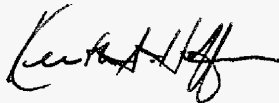
Dear Ms. Bayo:

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 Re-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.

Sincerely,



Kenneth A. Hoffman

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR 1 \_\_\_\_\_

ECR \_\_\_\_\_

GCL KAH/rl \_\_\_\_\_

OPC Enclosures  
FPLbayo.819ltr \_\_\_\_\_

MMS \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SEC 1 \_\_\_\_\_

OTH \_\_\_\_\_

RECEIVED & FILED

P. V. N

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

09070 AUG 19 04

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: August 19, 2004

**FLORIDA POWER & LIGHT COMPANY'S  
RE-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

Per Agreement of Counsel, 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 26, 2004 (Thursday), at 8:30 a.m.  
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, FL 32301

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. Please also bring with you copies of all prefiled testimony and exhibits filed by Mr. Smith in this docket.

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.

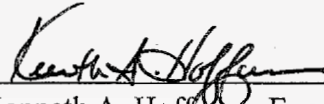
DOCUMENT NUMBER-DATE

09070 AUG 19 3

FPSC-COMMISSION CLERK

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

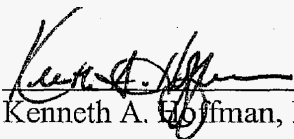
Attorneys for Florida Power & Light Company

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Re-Notice of Taking Deposition Duces Tecum has been furnished by Hand Delivery this 19<sup>th</sup> day of August, 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.