RIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

04 OCT 20 AM 10: 24

RECEIVED-FPSC

In re: Fuel and purchased power cost recovery DOCKET NO. 040001-EI clause with generating performance incentive factor.

COMMISSION CLERK

FILED: OCTOBER 20, 2004

NOTICE OF TELEPHONIC DEPOSITION

John T. Butler, Esquire TO: Steel Hector & Davis Law Firm 200 South Biscayne Blvd. Suite 4000 Miami, FL 33131-2398

NOTICE is hereby given that the Staff of the Florida Public Service Commission will take the telephonic deposition of Thomas Hartman, upon oral examination before an official court reporter or other officer authorized by law to take depositions, at the following time and location indicated:

2:00 p.m., Thursday, October 28, 2004 Florida Power & Light Company 700 Universe Blvd. Juno Beach, FL 33408

This deposition will be held by telephone "meet me" conference call. Please call the following number 850-487-8856 or Suncom 277-8856 at 2:00 p.m. to participate. The court reporter and Commission counsel will be at the following location:

Florida Public Service Commission Gunter Building, Conference Room 382-D. 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0850

CMP

COM Any witness who elects to be deposed telephonically must have at their location a Notary Public to administer the Oath to the witness. CTR

ECR 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 docket or used by you in the preparation of any GCL responses to staff's discovery requests in this docket. OPC

- MMS _____
- RCA
- SCR
- SEC
- OTH

1291 007 20 3

DOCUMENT NUMBER-DATE

FPSC-COMMISSION CLERK

CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF _____)

I, the undersigned authority, certif	fy that	
personally appeared before me at		and was
duly sworn by me to tell the truth.		
WITNESS my hand and official seal in the City of		, County of
, State of	, this day of	, 2004.

Notary Public
State of ______

Personally know _____ OR produced identification _____

Type of identification produced _____

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery clause with generating performance incentive factor. FILED: OCTOBER 20, 2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one true and correct copy of STAFF'S NOTICE OF TELEPHONIC DEPOSITION OF THOMAS HARTMAN TO STEEL HECTOR & DAVIS LAW FIRM has been served by U. S. Mail to John T. Butler, Esquire, Steel Hector &

Davis Law Firm and that a true and correct copy thereof has been furnished to the following, by

U. S. Mail this 20th day of October, 2004:

Ausley & McMullen Law Firm James Beasley/Lee Willis P. O. Box 391 Tallahassee, FL 32302

Florida Industrial Power Users Group c/o John McWhirter, Jr. McWhirter Reeves Law Firm 400 N. Tampa Street, Ste. 2450 Tampa, FL 33602

Gulf Power Company Susan D. Ritenour One Energy Place Pensacola, FL 32520-0780

Messer Law Firm Norman H. Horton, Jr. P. O. Box 1876 Tallahassee, FL 32302-1876

Tampa Electric Company Angela Llewellyn P. O. Box 111 Tampa, FL 33601-0111 Florida Power & Light Company Bill Walker 215 South Monroe Street, Ste. 810 Tallahassee, FL 32301-1859

Florida Public Utilities Company George Bachman P. O. Box 3395 West Palm Beach, FL 33402-3395

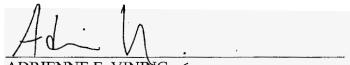
McWhirter Reeves Law Firm Vicki G. Kaufman 117 S. Gadsden Street Tallahassee, FL 32301

Florida Power & Light Company Natalie F. Smith 700 Universe Blvd. Juno Beach, FL 33408

Beggs & Lane Law Firm Jeffrey Stone/Russell Badders P. O. Box 12950 Pensacola, FL 32591-2950 CERTIFICATE OF SERVICE DOCKET NO. 040001-EI PAGE 4

Florida Retail Federation John Rogers 227 South Adams Street Tallahassee, FL 32301

Office of Public Counsel Patricia Christensen/Charles Beck c/o The Florida Legislature 111 West Madison Street, #812 Tallahassee, FL 32399-1400 Greenburg, Traurig Law Firm Ronald LaFace/Seann M. Frazier 101 East College Avenue Tallahassee, FL 32301



ADRIENNE E. VINING Senior Attorney FLORIDA PUBLIC SERVICE COMMISSION 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 (850) 413-6183