

ORIGINAL

STEEL ■  
HECTOR  
& DAVIS  
INTERNATIONAL™

Steel Hector & Davis LLP  
200 South Biscayne Boulevard  
Suite 4000  
Miami, FL 33131-2398  
305.577.7000  
305.577.7001 Fax  
www.steelhector.com

John T. Butler  
305.577.2939  
jbutler@steelhector.com

October 20, 2004

-VIA OVERNIGHT DELIVERY -

Blanca S. Bayó  
Director, Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED-FPSC  
OCT 21 PM 12:36  
COMMISSION  
CLERK

Re: **Docket No. 040001-EI**

Dear Ms. Bayó:

I am enclosing for filing in the above docket the original and seven (7) copies of Florida Power & Light Company's ("FPL") Notice of Serving Response to Staff's Fourth Set of Interrogatories (Nos. 28-34) and of FPL's Notice of Intent to Seek Confidential Classification (Response to Staff's Fourth Set of Interrogatories), together with a diskette containing the electronic versions of both documents. The enclosed diskette is HD density, the operating system is Windows XP, and the word processing software in which the documents appear is Word 2000. Please note that unredacted copies of the interrogatory answers, with the confidential portions highlighted, are enclosed with the original of the Notice.

- CMP
- COM
- CTR
- ECR
- GCL
- OPC
- MMS
- RCA
- SCR
- SEC
- OTH

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

Sincerely,

*John T. Butler*  
John T. Butler for JTB

Enclosures

cc: Counsel for Parties of Record (w/encl.)

MTA2001 369180v1

Miami West Palm Beach Tallahassee Naples Key West London Caracas São Paulo

DOCUMENT NUMBER-DATE

11381 OCT 21 03

FPSC-COMMISSION CLERK

*Knit*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power )  
cost recovery clause with )  
generating performance incentive )  
factor. )  
\_\_\_\_\_ )

Docket No. 040001-EI  
Dated: October 20, 2004

FLORIDA POWER & LIGHT COMPANY'S  
NOTICE OF SERVING RESPONSE TO STAFF'S  
FOURTH SET OF INTERROGATORIES (NOS. 28-34)

Florida Power & Light Company hereby gives notice of serving its Response to Staff's Fourth Set of Interrogatories (Nos. 28-34) to Adrienne E. Vining, Esq., counsel for the Staff, on October 20, 2004.

Respectfully submitted,

R. Wade Litchfield, Esq.  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: 561-691-7101

Steel Hector & Davis LLP  
Attorneys for Florida Power & Light Company  
200 South Biscayne Boulevard  
Suite 4000  
Miami, Florida 33131-2398  
Telephone: 305-577-2939

By: Kevin M. Butler for JTB  
John T. Butler  
Fla. Bar No. 283479

**CERTIFICATE OF SERVICE**  
**Docket Nos. 040001-EI**

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Notice of Serving Response to Staff's Fourth Set of Interrogatories (Nos. 28-34) has been furnished by overnight delivery (\*) or United States Mail on this 20<sup>th</sup> day of October, 2004, to the following:

Adrienne E. Vining, Esq.(\*)  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Patricia Christensen, Esq.  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399

Lee L. Willis, Esq.  
James D. Beasley, Esq.  
Ausley & McMullen  
Attorneys for Tampa Electric  
P.O. Box 391  
Tallahassee, Florida 32302

James A. McGee, Esq.  
Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, Florida 33733

Joseph A. McGlothlin, Esq.  
Vicki Gordon Kaufman, Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
117 South Gadsden Street  
Tallahassee, Florida 32301

Norman H. Horton, Esq.  
Floyd R. Self, Esq.  
Messer, Caparello & Self  
Attorneys for FPUC  
215 South Monroe Street, Suite 701  
Tallahassee, Florida 32302-0551

John W. McWhirter, Jr., Esq.  
McWhirter, Reeves, McGlothlin,  
Davidson, et al.  
Attorneys for FIPUG  
P.O. Box 3350  
Tampa, Florida 33602

Jeffrey A. Stone, Esq.  
Russell A. Badders, Esq.  
Beggs & Lane  
Attorneys for Gulf Power  
P.O. Box 12950  
Pensacola, Florida 32576-2950

Jon C. Moyle, Jr., Esq.  
Moyle, Flannigan, Katz, Raymond  
& Sheehan, P.A.  
The Perkins House  
118 North Gadsden Street  
Tallahassee, Florida 32301

By:     Koul M. Butler for JTB      
John T. Butler