

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Fuel and Purchased Power )  
Cost Recovery Clause and Generating )  
Performance Incentive Factor )  
\_\_\_\_\_ )

DOCKET NO. 040001-EI

**NOTICE OF TAKING TELEPHONIC DEPOSITION**

TO: Jon C. Moyle, Jr., Esq.  
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R. Wade Litchfield, Esq.  
Natalie F. Smith, Esq.  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, FL 33408

PLEASE TAKE NOTICE THAT pursuant to Rule 1.310, Florida Rules of Civil Procedure, on Thursday, October 28, 2004, at 10:00 a.m. (EDT), at the offices of Acadian Consulting Group, 6455 Overton Street, Baton Rouge, Louisiana, the undersigned will take the deposition of **David E. Dismukes** before a court reporter, notary public, or some other officer duly authorized to take depositions in the State of Florida. This deposition is being taken for such reasons as are permitted under the applicable and governing Rules of Civil Procedure and Florida Statutes, and will continue from day-to-day until complete.

This deposition will be held by telephone conference call. Please call **1-888-889-2459**, **Passcode: 14505**, to participate.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact John T. Butler, Esquire, at (305) 577-2939. If hearing impaired, call 1-800-955-8771 (TDD) or 1-800-955-8770 (V) via Florida Relay Service for assistance.

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic delivery to the above named addressee on October 21, 2004.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

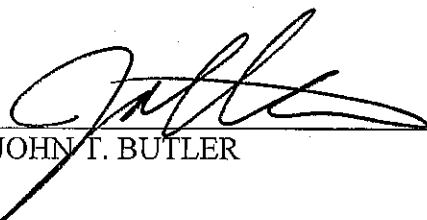
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Attorneys for Florida Power & Light  
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By:

  
\_\_\_\_\_  
JOHN T. BUTLER

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Notice of Taking Deposition has been electronically delivered this 21<sup>st</sup> day of October, 2004, to the following:

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