

OR
NAL

JAMES E. "JIM" KING, JR.
President

JOHNNIE BYRD
Speaker



STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330



Harold McLean
Public Counsel

EMAIL: OPC_WEBSITE@LEG.STATE.FL.US
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Patricia A. Christensen
Associate Public Counsel

October 25, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED-FPSC
04 OCT 25 PM 3:58
COMMISSION
CLERK


RE: Docket No. 040001-EI

Dear Ms. Bayó:


Enclosed please find an original and three copies of a Notice of Telephonic Deposition for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,


Patricia A. Christensen
Associate Public Counsel

- CMP _____
- COM _____
- CTR 1
- ECR _____
- GCL PC/pd
- OPC cc: Accurate Stenotype Reporters, Inc.
- MMS _____
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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
11523 OCT 25 04
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 040001-EI
FILED: October 25, 2004

NOTICE OF TELEPHONIC DEPOSITION

TO: James D. Beasley
Ausley & McMullen
227 S. Calhoun Street
Tallahassee, Florida 32301

NOTICE is hereby given that Patricia A. Christensen of the Office of Public Counsel will take the telephonic deposition of David R. Knapp, upon oral examination before an official court reporter or other officer authorized by law to take depositions, at the following time and location indicated:

Friday, October 29, 2004, 1:00 p.m. EST*
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, Florida 32399-1400

*NOTE: The witness will appear by phone, however there will be no meet-me number designated for the deposition. If you want to participate you must attend the deposition in person. Any witness that elects to be deposed telephonically must have at their location a Notary Public to administer the Oath to the witness.

This deposition is being taken for purposes of discovery, for use at trial, or for any other purposes allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

DOCUMENT NUMBER-DATE

11523 OCT 25 3

FPSC-COMMISSION CLERK

PLEASE GOVERN YOURSELF ACCORDINGLY.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patricia A. Christensen', is written over a light gray rectangular background.

Patricia A. Christensen
Associate Public Counsel

Office of Public Counsel
111 W. Madison Street, Room 812
c/o The Florida Legislature
Tallahassee, FL 32399-0850

(850) 488-9330

Attorney for the Citizens
of the State of Florida

CERTIFICATE OF SERVICE
DOCKET NO. 040001-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and/or facsimile on this 25th day of October, 2004, to the following:

William (Cochran) Keating
Jennifer Rodan
Adrienne Vining
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Beggs & Lane Law Firm
Jeffrey Stone/Russell Badders
P.O. Box 12950
Pensacola, FL 32591-2950

Florida Industrial Power Users Group
(McWhirter)
c/o John W. McWhirter, Jr.
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, FL 33602

Florida Power & Light Company
Mr. Bill Walker
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859

Florida Power & Light Company
R. Wade Litchfield, Esq.
700 Universe Blvd.
Juno Beach, FL 33408-0420

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

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

Joe Regnery, Esq.
Island Center
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McWhirter Law Firm
Vicki Kaufman/Joseph McGlothlin
117 S. Gadsden St.
Tallahassee, FL 32301

Messer Law Firm
Norman H. Horton, Jr./Floyd Self
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Moyle Law Firm
Jon C. Moyle/Bill Hollimon
118 N. Gadsden Street
Tallahassee, FL 32301

Power Systems Mfg., LLC
1440 W. Indiantown Road, Suite 200
Jupiter, FL 33458

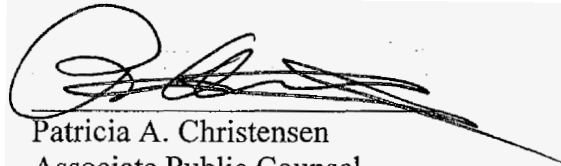
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Patricia A. Christensen
Associate Public Counsel