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COMMISSION  
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December 3, 2004

**BY HAND DELIVERY**

Jeremy Susac, Esq.  
Office of General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Docket No. 40130-TP

Dear Mr. Susac:

Pursuant to the parties' discussion with Staff at the November 15, 2004, Issue Identification Conference, enclosed please find the transcripts for part one of the depositions of Eric Fogle, Eddie Owens, and Scot Ferguson conducted in Raleigh, NC on June 28 and 29, 2004. As explained by the parties, Joint Petitioners and BellSouth will depose each other's witnesses only once regionally. The depositions of Msrs. Fogel, Owens and Ferguson will continue in Raleigh, NC on December 7, 2004 at 9:30 a.m. In addition, Joint Petitioners also will conduct depositions of Kathy Blake and Carlos Morillo in Raleigh during the remainder of that week. It is Joint Petitioners' understanding that BellSouth will arrange for a conference bridge to be available should members of the Commission Staff desire to observe the depositions. Joint Petitioners will provide copies of transcripts of next week's depositions shortly after they are available.

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- SEC \_\_\_\_\_
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Please contact me if you have any questions.

Sincerely yours,



Norman H. Horton, Jr.

NHH/amb  
Enclosures

cc: Ms. Stephanie Joyce  
Ms. Blanca S. Bayó, Director, Commission Clerk and Administrative Services ✓

DOCUMENT NUMBER-DA

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