

ORIGINAL

Matilda Sanders

From: Tim Perry [tperry@mac-law.com]
 Sent: Friday, January 21, 2005 3:55 PM
 To: Filings@psc.state.fl.us
 Cc: Vicki Gordon Kaufman; JWM – John McWhirter; Jennifer Brubaker; James A. McGee; Gary L. Sasso; John T. Burnett; Harold McLean; Joe McGiothlin; Patty Christensen; Mike Twomey
 Subject: Docket No. 041272-EI

1. Timothy J. Perry, Esq., McWhirter Reeves, 117 S. Gadsden Street, Tallahassee, FL 32301, (850) 222-2525, tperry@mac-law.com is responsible for this electronic filing;
2. The filing is to be made in Docket No. 041272-EI, *In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc.*;
3. The filing is made on behalf of the Florida Industrial Power Users Group;
4. The total number of pages is 3; and
5. Attached to this e-mail in Adobe format is the Cross-Notice of Deposition.

Timothy J. Perry
 McWhirter Reeves
 117 S. Gadsden St.
 Tallahassee, FL 32301
 (850) 222-2525
 (850) 222-5606 - Fax
tperry@mac-law.com

CMP _____
 COM _____
 CTR 1
 ECR _____
 GCL _____
 OPC _____
 MMS _____
 RCA _____
 SCR _____
 SEC 1
 OTH _____

1/21/2005

DOCUMENT NUMBER-DATE
 00780 JAN 21 03
 FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc.

Docket No: 041272-EI
Filed: January 21, 2005

CROSS-NOTICE OF DEPOSITION

TO: John T. Burnett, Esquire
Carlton Fields
4221 W. Boy Scout Boulevard
Tampa, Florida 33607

NOTICE is hereby given that the Florida Industrial Power Users Group will take depositions at the offices of Carlton Fields, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, FL 33607 on Monday, January 24, 2005 of the following persons upon the conclusion of questions asked by the Office of Public Counsel:

Mark Wimberly
Corporate representative(s) within the company who are knowledgeable of the Florida transmission and distribution organization budgets for 2003, 2004 and 2005; budget variance reports for 2004 to date; business plans for 2003, 2004 and 2005; development of storm cost estimates for capital, labor, material and supplies, overheads, contract crews, tree trimming crews and any other storm recovery issues relevant to the transmission and distribution organization.
Corporate representative who is the overall coordinator of the development and the production of the storm cost estimates that have been submitted by Progress Energy in this docket.
Corporate representative who is the subject matter expert regarding the capital cost calculations included in the storm recovery request, including the handling of replacement transactions, cost of removal and booking of new capital additions into the corporate records.
Javier Portuondo

Each witness should bring copies of all workpapers or other materials used by the witness in the preparation of his or her direct testimony filed in this docket or used by the witness in the preparation of responses to discovery requests in this docket.

The depositions shall be taken upon oral examination before an official court reporter or other officer authorized by law to take depositions. This deposition is being taken for purposes of discovery, for use at trial, or for any other purpose allowed under the Florida Rules of Civil Procedure, the Uniform rules of Procedure, and the Rules of the Florida Public Service Commission.

Please govern yourselves accordingly.

s/ Timothy J. Perry

John W. McWhirter
McWhirter, Reeves, Davidson,
Kaufman, & Arnold, P.A.
400 North Tampa Street, Suite 2450
Tampa, Florida 33602
Telephone: (813) 224-0866
Telecopier: (813) 221-1854
jmcwhirter@mac-law.com

Vicki Gordon Kaufman
Timothy J. Perry
McWhirter, Reeves, Davidson,
Kaufman, & Arnold, P.A.
117 South Gadsden Street
Tallahassee, Florida 32301
(850) 222-2525 (telephone)
(850) 222-5606 (fax)
vkaufman@mac-law.com
tperry@mac-law.com

Attorneys for the Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Cross-Notice of Deposition has been furnished by e-mail and U.S. Mail this 21st day of January 2005, to the following:

Jennifer Brubaker
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

James A. McGee
Progress Energy Florida, Inc.
100 Central Avenue, Suite CX1D
St. Petersburg, Florida 33701

Gary Sasso
John T. Burnett
Carlton Fields
4221 W. Boy Scout Boulevard
Tampa, Florida 33607

Harold A. McLean
Joseph A. McGlothlin
Patricia Christensen
Office of the Public Counsel
111 West Madison Street
Room 812
Tallahassee, Florida 32399

Michael B. Twomey
Post Office Box 5256
Tallahassee, Florida 32314-5256

s/ Timothy J. Perry
Timothy J. Perry