

ORIGINAL

Timolyn Henry

From: Tim Perry [tperry@mac-law.com]
Sent: Thursday, January 27, 2005 3:57 PM
To: Filings@psc.state.fl.us
Cc: Natalie Futch-Smith; Wade Litchfield; Cochran Keating; Harold McLean; Joe McGlothlin; Patty Christensen; Mike Twomey; Vicki Gordon Kaufman; JWM -- John McWhirter
Subject: Docket 041291-EI

1. Timothy J. Perry, 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. 041291-EI, *In re: Petition for authority to recover prudently incurred storm restoration costs related to 2004 storm season that exceed storm reserve balance, by Florida Power & Light Company.*;
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.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's
Petition for Authority to Recover
Prudently Incurred Storm Restoration
Costs Related to the 2004 Storm Season
That Exceed the Storm Reserve Balance

Docket No: 041291-EI
Filed: January 27, 2005

CROSS-NOTICE OF DEPOSITION

TO: R.Wade Litchfield, Esquire
Natalie Smith, Esquire
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

NOTICE is hereby given that the Florida Industrial Power Users Group will take depositions of the following persons at the offices of Florida Power & Light Company ("FPL") located at 9250 West Flagler Street, Miami, Florida on Monday, Friday January 28, 2005 upon the conclusion of questions asked by the Office of Public Counsel:

Corporate representative who is the subject matter expert who had primary responsibility for preparing, or coordinating the development and preparation of, the storm cost estimates that have been submitted by FPL

-and-

The corporate representative who is the subject matter expert having ongoing responsibility for and knowledge of the transmission and distribution organization budgets, as well as reports of variances between budgeted and actual numbers (transmission and distribution) for 2004 to date.

K. Michael Davis

-and-

Corporate representative who is the subject matter expert having responsibility for and knowledge of capital cost calculations included in the storm recovery request, including the handling of retirement and replacement transactions, cost of removal, and the booking of new capital additions into the corporate records.

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

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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 electronic mail and U.S. Mail this 27th day of January 2005, to the following:

Wm. Cochran Keating IV
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

R. Wade Litchfield
Natalie F. Smith
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408

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

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

s/ Timothy J. Perry
Timothy J. Perry