

ORIGINAL

Matilda Sanders

From: BURNS.DANA [BURNS.DANA@leg.state.fl.us]
Sent: Monday, March 28, 2005 9:31 AM
To: Filings@psc.state.fl.us
Cc: DAVIS.PHYLLIS; CHRISTENSEN.PATTY; jmcwhirter@mac-law.com; Katherine Fleming; Ken Hoffman; McGLOTHLIN.JOSEPH; miketwomey@talstar.com; Natalie_smith@fpl.com; POUCHER.EARL; tperry@mac-law.com; wade_litchfield@fpl.com; Cochran Keating; schef@landersandparsons.com; john.butler@steelhector.com
Subject: Notice of Deposition (Dr. Avera)
Attachments: 041405noticeofdeposition(avera)-e-file.doc

On behalf of Joseph A. McGlothlin Office Of Public Counsel
 111 W. Madison Street, Room 812
 Tallahassee, FL 32399-1400
 Email: mcglothlin.joseph@leg.state.fl.us
 Phone: (850) 488-9330
 Fax: (850) 488-4491

1. This filing is intended for a filing date of March 28, 2005.
2. This filing is to be made in Docket Number: 041291-EL, 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. Attached for filing on behalf of Office of Public Counsel is a Notice of Deposition.
4. There are a total of three (3) pages for filing.

MP _____
 OM _____
 TR 1 _____
 CR _____
 GCL _____
 JPC _____
 IMS _____
 ICA _____
 ICR _____
 IEC 1 _____
 JTH _____

3/28/2005

DOCUMENT NUMBER-DATE
 02972 MAR 28 05
 FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

Docket No. 041291-EI

Filed: March 28, 2005

NOTICE OF DEPOSITION

TO: R. Wade Litchfield
Natalie Smith
700 Universe Boulevard
Juno Beach, FL 33408

NOTICE is hereby given that the undersigned or another attorney with the Office of Public Counsel will take the deposition of the following individual at the offices of Florida Power & Light Company ("FPL") located at 700 Universe Boulevard, Juno Beach, Florida on Thursday, April 14, 2005:

Dr. William E. Avera	10:30 a.m.
----------------------	------------

The deposition shall be taken upon oral examination before an official court reporter or other officer authorized by law to take depositions. The 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.

The deponent is requested to bring with him the documents on which he relied when preparing his rebuttal testimony in this proceeding.

Any person requiring some accommodation at these depositions because of a physical impairment should call the Office of Public Counsel at (800) 342-0222 at least

48 hours prior to the deposition. Any person who is hearing or speech impaired, please contact the Office of Public Counsel by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

For parties who wish to attend by telephone the call in number is: Non-Suncom (850) 921-6610; Suncom 291-6610.

PLEASE GOVERN YOURSELF ACCORDINGLY.

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel
Florida Bar No. 163771
Office of Public Counsel
111 West 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

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Depositions has been furnished by e-mail and U.S. Mail this 28th day of March, 2005, to the following:

Cochran Keating
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Florida Power & Light Company
Mr. Bill Walker
Vice President, Regulatory Affairs
215 S. Monroe Street, Suite 810
Tallahassee, FL 32301-1859

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

R. Wade Litchfield
Natalie Smith
700 Universe Boulevard
Juno Beach, FL 33408

Timothy J. Perry, Esquire
McWhirter, Reeves, Davidson,
& Arnold, P.A.
117 S. Gadsden Street
Tallahassee, FL 32301

John W. McWhirter, Jr., Esquire
McWhirter, Reeves, Davidson,
& Arnold, P.A.
400 North Tampa Street, Ste. 2450
Tampa, FL 33602

Kenneth A. Hoffman, Esquire
Rutledge, Ecenia, Purnell & Hoffman
215 S. Monroe Street, Suite 420
Tallahassee, FL 32301

John T. Butler
Steel Hector & Davis LLP
Suite 4000
200 South Biscayne Boulevard
Miami, Florida 33131-2398

Robert Scheffel Wright
John T. Lavia, III
Landers & Parsons, P.A.
310 West College Avenue
Tallahassee, FL 32301

s/ Joseph A. McGlothlin
Joseph A. McGlothlin
Associate Public Counsel