

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of ) Docket No. 040660 and 040029-EG  
 modifications to BuildSmart Program ) Consolidated  
 and Cost Recovery for BuildSmart and )  
 Residential Conservation Service Programs) )  
 by Florida Power & Light Company )  
 \_\_\_\_\_ ) Dated: August 8, 2005

SUBPOENA AD TESTIFICANDUM AND DUCES TECUM

THE STATE OF FLORIDA:

TO: Richard Dixon  
 c/o Florida Department of Community Affairs  
 Office of Building Codes and Standards  
 2555 Shumard Oaks Boulevard, Sadowski Building  
 Tallahassee, FL 32399-2100  
 By facsimile: (850) 922-

YOU ARE COMMANDED to appear before the Florida Public Service Commission at its hearing on the above dockets at Betty Easley Conference Center, [address], on [day], October 10, 2005 at 10:00 a.m. for the taking of your testimony. If you fail to appear, you may be in contempt of court.

Pursuant to the Order Setting Procedure in these dockets, the Commission requires testimony to be pre-filed. Attached to this subpoena is a series of questions prepared by the attorney directing this subpoena. If your answers (pre-filed testimony) references any documents in your possession, please submit copies of all such documents or other materials, including internet addresses for relevant materials, used by you in the preparation of your testimony. The pre-filed testimony is due on Friday, August 12, 2005, and should be prepared in the format required by the Commission. Please forward your testimony to the undersigned attorney by noon, on that day, for attachment to the Petitioner's filings of that day. If there is any material or testimony that you may not be able to produce by that time, please notify the undersigned attorney and provide the testimony and material as soon as it becomes available.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
- RCA \_\_\_\_\_
- SCR \_\_\_\_\_
- SGA \_\_\_\_\_
- SEC   1
- OTH \_\_\_\_\_

You are subpoenaed to appear, and answer the directed question in pre-filed testimony, by the undersigned attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

ATTACHED is Order of Procedure for this consolidated case and a series of questions propounded by the Petitioners.

DOCUMENT NUMBER-DATE

07695 AUG-8 05

FPSC-COMMISSION CLERK

DATED this 8<sup>th</sup> day of August, 2005.

\s\ William J. Tait, Jr.  
William J. Tait, Jr.  
FL BAR No. 0125081  
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Tallahassee, Florida 32311  
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Attorney for Petitioners, Calcs-Plus, Inc.,  
and, individually, Dennis Stroer and Jon  
Klongerbo

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished electronically and via U.S. Mail this 8<sup>th</sup> day of August, 2005, to the following:

|   |   |
|---|---|
| Martha Carter Brown*<br>Adrienne Vining*<br>Office of the General Counsel<br>Florida Public Service Commission<br>2540 Shumard Oak Boulevard<br>Tallahassee, Florida 32399-0850 | Natalie F. Smith, Esquire*<br>Florida Power & Light Company<br>700 Universe Boulevard<br>Juno Beach, FL 33408<br>Telephone: (561) 691-7207<br>Facsimile: (561) 691-7135 |
|---|---|

\s\ William J. Tait, Jr.  
William J. Tait, Jr.  
Florida Bar No. 0125081