

ORIGINAL

Timolyn Henry

From: Jim Tait [jimtait@comcast.net]
Sent: Tuesday, August 09, 2005 3:57 PM
To: Filings@psc.state.fl.us
Subject: Subpoena and questions in Docket 04-0029-EG
Attachments: Neil Moyer subpoena.doc; Notice to PSC for 8-9 subpoena (Moyer).doc; 8-9 Questions for Neil Moyer.doc

Attached is letter transmitting subpoena for Neil Moyer's attendance at Oct 10, 2005, hearing and questions for his pre-filed testimony due Aug 12, 2005

Three files:

Notice to PSC for 8-9 subpoena (Moyer)

Neil Moyer subpoena

8-9 Questions for Neil Moyer

Jim Tait
 1061 Windwood Way
 Tallahassee, Florida 32311
 Phone: (850) 878-0500; fax 942-5890

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DOCUMENT NUMBER-DATE

07738 AUG-9 05

FPSC-COMMISSION CLERK

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 9, 2005**

SUBPOENA AD TESTIFICANDUM AND DUCES TECUM

THE STATE OF FLORIDA:

TO: Neil Moyer
c/o Florida Solar Energy Center
1679 Clearlake Road,
Cocoa, Florida 32922
By facsimile: (321) 638-1010

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 are not able to produce by that time, please notify the undersigned attorney and provide the testimony and material as soon as it becomes available.

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.

DATED this 9th day of August, 2005.

\s\ William J. Tait, Jr.
William J. Tait, Jr.
FL BAR No. 0125081
1061 Windwood Way
Tallahassee, Florida 32311
Telephone: (850) 878-0500
Facsimile: (850) 942-5890
E-mail: jimtait@comcast.net

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 9th day of August, 2005, to the following:

Martha Carter Brown* Adrienne Vining* Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850	Natalie F. Smith, Esquire* Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408 Telephone: (561) 691-7207 Facsimile: (561) 691-7135
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\s\ William J. Tait, Jr.
William J. Tait, Jr.
Florida Bar No. 0125081