

**Timolyn Henry**

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**From:** Barbara\_J\_Washington@fpl.com  
**Sent:** Wednesday, September 21, 2005 4:55 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Wade\_Litchfield@fpl.com; Natalie\_Smith@fpl.com; Patrick\_Bryan@fpl.com; Elizabeth\_Carrero@fpl.com  
**Subject:** Electronic Filing for Docket Nos. 040660-EG and 040029-EG  
**Attachments:** Notice of Cancellation of Taking Depo Duces Tecum.doc

CMP \_\_\_\_\_  
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OTH \_\_\_\_\_



Notice of  
Cancellation of Tak

(1) Person responsible for this electronic filing:

Patrick M. Bryan, Attorney  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, FL 33408  
(561) 304-5134  
patrick\_bryan@fpl.com

(2) Docket Nos. 040660-EG and 040029-EG

In re: Petition for approval of modifications to BuildSmart Program by Florida Power & Light Company

In re: Petition for approval of numeric conservation goals by Florida Power & Light Company

(3) Document being filed on behalf of Florida Power & Light Company

(4) There are a total of three (3) pages.

(5) The document attached for electronic filing are:

(a) Notice of Cancellation of Notice of Taking Deposition  
Duces Tecum\* (Dennis J. Stroer and Jon F. Klongerbo)

(See attached file: Notice of Cancellation of Taking Depo Duces Tecum.doc)

Thank you for your attention and cooperation to this request.

Barbara J. Washington  
Legal Assistant to  
Patrick M. Bryan, Esquire  
(561) 304-5137 (Office)  
(561) 691-7305 (Fax)  
barbara\_j\_washington@fpl.com (Email)

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In re: Petition for approval of )  
modifications to BuildSmart Program )  
by Florida Power & Light Company )

Docket No. 040660-EG

In re: Petition for approval of )  
numeric conservation goals )  
by Florida Power & Light Company )

Docket No. 040029-EG

Filed: September 21, 2005

NOTICE OF CANCELLATION OF  
NOTICE OF TAKING DEPOSITION DUCES TECUM\*  
(Dennis J. Stroer and Jon F. Klongerbo)

TO: William J. Tait, Esquire  
1601 Windwood Way  
Tallahassee, FL 32311

FROM: R. Wade Litchfield, Esquire  
Natalie F. Smith, Esquire  
Patrick M. Bryan, Esquire  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, FL 33408

PLEASE TAKE NOTICE THAT the depositions of **Dennis J. Stroer** (scheduled for Friday, September 23, 2005, at 9:30 a.m.) and **Jon F. Klongerbo Friday**, (scheduled for September 23, 2005, at 1:00 p.m. or immediately following the conclusion of the deposition of Dennis J. Stroer), to be taken at the offices of **Vincent M. Lucente & Associates, Inc.**, located at **Lakeview Office Park, 411 Commercial Court, #A, Venice, Florida 34292**, have been cancelled.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

DOCUMENT NUMBER-DAT

08973 SEP 21 05  
Page 1 of 3

FPSC-COMMISSION CLEF

R. Wade Litchfield, Esquire.  
Natalie F. Smith, Esquire  
Patrick M. Bryan, Esquire  
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700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: 561-304-5134  
Facsimile: 561-691-7305

Attorneys for Florida Power & Light  
Company

By: s/Patrick M. Bryan  
Patrick M. Bryan  
Florida Bar No. 0457523

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been served by electronic mail and by United States Mail this 21<sup>st</sup> day of September, 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

William J. Tait, Jr., Esq.  
1061 Windwood Way  
Tallahassee, Florida 32311

Harold McLean  
Office of Public Counsel  
111 West Madison Street, Room 812  
Tallahassee, Florida 32399-1400

By:           s/Patrick M. Bryan            
Patrick M. Bryan  
FL Bar No. 0457523