

ORIGINAL

Timolyn Henry

From: Tim Perry [tperry@mac-law.com]
 Sent: Wednesday, October 19, 2005 4:39 PM
 To: Filings@psc.state.fl.us
 Cc: JWM – John McWhirter; tperry@mac-law.com
 Subject: Docket no. 050001-EI
 Attachments: Cross-Notice of Depositions - Smotherman and Wehle - 10-19-05.doc

1. Timothy J. Perry, McWhirter Reeves, 117 S. Gadsden Street, Tallahassee, FL 32301, (850) 222-2525, tperry@mac-law.com is the person responsible for this electronic filing;
2. The filing is to be made in Docket 050001-EI, *In re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor*;
3. The filing is made on behalf of the Florida Industrial Power Users Group;
4. The total number of pages is 4; and
5. The attached MS Word document is the The Florida Industrial Power Users Group's Cross-Notice of Depositions of William Smotherman and Joann Wehle.

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10/19/2005

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and Purchased Power
Cost Recovery Clause with Generating
Performance Incentive Factor.

Docket No. 050001-EI
Filed: October 19, 2005

THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
CROSS-NOTICE OF DEPOSITIONS OF WILLIAM SMOTHERMAN
AND JOANN WEHLE

TO: Lee L. Willis, Esquire
James D. Beasley, Esquire
Ausley & McMullen Law Firm
P. O. Box 391
Tallahassee, FL 32302

NOTICE is hereby given that the Florida Industrial Power Users Group will take the depositions of the following named individuals upon oral examination before an official court reporter or other officer authorized by law to take depositions, at the following location and time indicated:

William Smotherman

10:00 a.m., Friday, October 21, 2005
Florida Public Service Commission
Gerald L. Gunter Building, Room 154
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0863

Joann Wehle*

*The exact starting time of Ms. Wehle's deposition will be determined at the conclusion of the deposition of Mr. Smotherman.

upon oral examination before an official court reporter or other officer authorized by law to take depositions. The oral examination will continue from day to day until completed.

Please bring with you copies of all the work papers or other materials used by you in the preparation of any testimony filed in this case or used by you in the preparation of any responses to The Florida Industrial Power Users Group's discovery requests in this docket.

These depositions are 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 The Florida Industrial Power Users Cross-Notice of Depositions of William Smotherman and Joann Wehle has been furnished by electronic Mail and U.S. Mail this 19th day of October 2005, to the following:

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