

ORIGINAL

Marguerite Lockard

From: Jacqueline_Bussey@fpl.com
Sent: Friday, April 28, 2006 2:09 PM
To: Filings@psc.state.fl.us
Cc: Bryan_Anderson@fpl.com; Katherine Fleming; John_Hepokoski@fpl.com; Sabrina_Spradley@fpl.com
Subject: Electronic Filing - Docket #060225-EI - Notice of Taking Telephonic Deposition Duces Tecum
Attachments: Notice of Taking Telephonic Depo Duces Tecum of J. Harlow.doc



Notice of
ing Telephonic

Electronic Filing

a. Person responsible for this electronic filing:

Bryan S. Anderson, Esquire
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, FL 33408
(561) 304-5253
bryan_anderson@fpl.com

b. Docket No. 060225-EI - Petition to Determine Need for West County Units
1 and 2 Electrical Power Plant

c. Document being filed on behalf of Florida Power & Light Company

d. There are a total of 5 pages

e. The document attached for electronic filing is Florida Power & Light Company's Notice of Taking
Telephonic Deposition Duces Tecum

(See attached file: Notice of Taking Telephonic Depo Duces Tecum of J.
Harlow.doc)

Thank you for your consideration to this request.

Jacki Bussey, Legal Asst.
to Bryan S. Anderson, Esquire
Law Department
561-691-7120
email: Jacqueline_Bussey@fpl.com

CMP _____
COM _____
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ECR _____
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SEC 1
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DOCUMENT NUMBER - DATE

03772 APR 28 06

FPSC - COMMISSION CLERK

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company's)	Docket No. 060225-EI
Petition to Determine Need for West County)	
Energy Center Units 1 and 2 Electrical Power)	Dated: April 28, 2006
Plant)	
_____)	

NOTICE OF TAKING TELEPHONIC DEPOSITION DUCES TECUM

TO: Katherine E. Fleming	FROM: Bryan S. Anderson, Esq.
Florida Public Service Commission	Florida Power & Light Company
Division of Legal Services	700 Universe Blvd.
Gerald L. Gunter Building	Juno Beach, FL 33408
2540 Shumard Oak Blvd.	
Tallahassee, FL 32399-0850	

PLEASE TAKE NOTICE THAT pursuant to Rule 1.310, Florida Rules of Civil Procedure, on **Friday, May 5, 2006 at 1:00 p.m., at 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850**, the undersigned will take the deposition of **Judy G. Harlow** by **telephone conference** before a court reporter, notary public, or some other officer duly authorized to take depositions in the State of Florida. A dial-in number for this deposition will be provided by Florida Power & Light Company prior to the deposition. This deposition is being taken for such reasons as are permitted under the applicable and governing Rules of Civil Procedure and Florida Statutes.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact Bryan S. Anderson, Esquire, at (561) 304-5253. If hearing impaired, call 1-800-955-8771 (TDD) or 1-800-955-8770 (V) via Florida Relay Service for assistance.

The deponent(s) shall bring to this deposition copies of documents as set forth below.

DEFINITIONS

1. "You" or "your" means and refers to Judy G. Harlow, and any affiliated entities, employees, agents, officers and managers, including, but not limited to, the deponent(s). "You" or "your" also means and refers to the Staff of the Florida Public Service Commission.

2. "Document or documents" means "documents" as defined in Rule 1.350 of the Florida Rules of Civil Procedure. In addition, the words "document" or "documents" shall mean any writing, recording, computer-stored information, or photograph in your possession, custody, care or control, which pertain directly or indirectly, in whole or in part, to any of the subjects listed below, or which are themselves listed below as specific documents, including, but not limited to: correspondence, memoranda, notes, messages, e-mails, diaries, minutes, books, reports, charts, ledgers, invoices, computer printouts, computer discs, microfilms, video tapes, or tape recordings.

3. "FPSC" means Florida Public Service Commission.

4. "All" means all or any.

5. The singular of any word contained herein shall include the plural and vice versa; the terms "and" and "or" shall be both conjunctive and disjunctive; and the term "including" means "including without limitation."

INSTRUCTIONS

6. Scope of Deposition Duces Tecum. In appearing for this Deposition Duces Tecum, produce all responsive documents, including any and all non-identical copies of each such document.

7. Manner of Objections and Inability to Respond. If you object to a part of a request and refuse to respond to that part, state your objection and answer the remaining portion of that request. If you object to the scope of a request and refuse to produce documents for that scope, state your objection and produce documents for the scope you believe is appropriate.

8. If any of the requests cannot be responded to in full after exercising due diligence to secure the requested documents, please so state and respond and produce documents to the extent possible, specifying your inability to respond further. If your response or production is qualified or limited in any particular way, please set forth the details and specifics of such qualification or limitation.

9. Privileged Information or Documents. In the event you wish to assert attorney/client privilege or the work product doctrine, or both, or any other claim of privilege, then as to such documents allegedly subject to such asserted privileges, you are requested to supply an identification of such documents, in writing, with sufficient specificity to permit the Prehearing Officer or Commission to reach a determination in the event of a motion to compel as to the applicability of the asserted objection, together with an indication of the basis for the assertion of the claim of attorney/client privilege or the work product doctrine, or any other claim of privilege. The identification called for by this instruction shall include the nature of the document (e.g., interoffice memoranda, correspondence, report, etc.), the sender or author, the recipient of each copy, the date, the name of each person to whom the original or any copy was circulated, the names appearing on any circulation list associated with such document, and a summary statement of the subject matter of the document in sufficient detail to permit the Prehearing Officer or Commission to reach a determination in the event of a motion to compel.

10. Computer-Generated Documents. If a requested document is on computer or word processing disc or tape, produce an electronic copy of the document and a printout of the document.

11. Organization of Documents. With respect to the documents produced, you shall produce them as they are kept in the usual course of business, labeling them to correspond with each numbered paragraph of this Request in response to which such documents are produced. All

pages now stapled or fastened together and all documents that cannot be copied legibly should be produced in their original form.

DOCUMENTS REQUESTED

1. Please bring with you copies of all workpapers or other materials related to the preparation of any testimony filed by you in Docket No. 060225-EI.

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by Electronic Mail and by United States Mail to the above named addressees on April 28, 2006.

PLEASE GOVERN YOURSELVES ACCORDINGLY.

R. Wade Litchfield
Bryan Anderson
Patrick Bryan
Natalie F. Smith
Attorneys for
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: s/ Bryan S. Anderson
Bryan S. Anderson
Authorized House Counsel #219511

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Notice of Taking Telephonic Deposition Duces Tecum has been served by electronic mail and by United States Mail this 28th day of April, 2006, to the following:

Katherine E. Fleming
Florida Public Service Commission
Division of Legal Services
Gerald L. Gunter Building
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Respectfully submitted,

R. Wade Litchfield
Bryan Anderson
Patrick Bryan
Natalie F. Smith
Attorneys for Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420

By: /s/ Bryan S. Anderson
Bryan S. Anderson

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