

Ruth Nettles

080677-EI
090130-EI

From: Stedman, Faye [FayeStedman@andrewskurth.com] on behalf of Spina, Jennifer [JenniferSpina@andrewskurth.com]

Sent: Thursday, August 13, 2009 5:52 PM

To: Filings@psc.state.fl.us

Cc: Anna Williams; Bethany Burgess; Brian Armstrong; Cecilia Bradley; Dan Moore; Griffiths, Meghan; Jack Leon; Jean Hartman; John McWhirter; John T. Butler; Jon Moyle; Joseph McGlothlin; Lisa Bennett; Marcus Braswell; Martha Brown; Mendiola, Lino; Natalie Smith; Purdy, Lisa M.; Robert Scheffel Wright; Robert Sugarman; Shayla M. McNeill; Spina, Jennifer; Sundback, Mark F.; Tamela Perdue; Thomas Saporito; Vicki Kaufman; Wade Litchfield; Wiseman, Kenneth L.

Subject: 080677-EI, Cross Notice of Deposition Duces Tecum of Joseph Ender

Attachments: SFHHA - Cross-Notice of Deposition of FPL Witness Ender.pdf

Electronic Filing

- a. Person responsible for this electronic filing:
Kenneth L. Wiseman
Andrews Kurth LLP
1350 I Street, NW
Suite 1100
Washington, DC 20005
202-662-2715 (phone)
202-662-2739 (fax)
- b. Docket No. 080677-EI.
- c. Document being filed on behalf of South Florida Hospital and Healthcare Association (SFHHA).
- d. There is a total of 5 pages.
- e. The document attached for electronic filing is SFHHA 's Cross Notice of Deposition Duces Tecum of Joseph Ender
(See attached SFHHA - Cross-Notice of Deposition of FPL Witness Ender.pdf)

Thank you for your attention and cooperation to this request.

Regards.

Faye Stedman on behalf of Jennifer Spina
AndrewsKurth, LLP
1350 I Street, NW
Suite 1100
Washington, DC 20005
202-662-2700
202-662-2739 (fax)

The information contained in this e-mail and any attachments to it may be legally privileged and include confidential information intended only for the recipient(s) identified above. If you are not one of those intended recipients, you are hereby notified that any dissemination, distribution or copying of this e-mail or its attachments is strictly prohibited. If you have received this e-mail in error, please notify the sender of that fact by return e-mail and permanently delete the e-mail and any attachments to it immediately. Please do not retain, copy or use this e-mail or its attachments for any purpose, nor disclose all or any part of its contents to any other person. Thank you.

08451 AUG 14 2

8/14/2009

FPSC-COMMISSION CLERK

Any tax advice in this e-mail (including any attachment) is not intended or written to be used, and cannot be used, by any person, for the purpose of avoiding penalties that may be imposed on the person. If this e-mail is used or referred to in connection with the promoting or marketing of any transaction(s) or matter(s), it should be construed as written to support the promoting or marketing of the transaction(s) or matter(s), and the taxpayer should seek advice based on the taxpayer's particular circumstances from an independent tax advisor.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida Power & Light Company)
In re: 2009 depreciation and dismantlement study by Florida Power & Light Company)
Docket No. 080677-EI)
Docket No. 090130-EI)
Dated: August 14, 2009)

SOUTH FLORIDA HOSPITAL AND HEALTHCARE ASSOCIATION'S CROSS NOTICE OF TELEPHONIC DEPOSITION DUCES TECUM

TO: John T. Butler, Esquire,
Florida Power & Light Company
700 Universe Blvd.,
Juno Beach, Florida 33408-0420

PLEASE TAKE NOTE THAT, PURSUANT TO Florida Rule of Civil Procedure 1.310, South Florida Hospital and Healthcare Association ("SFHHA") will take the telephonic deposition upon oral examination of JOSEPH ENDER. The foregoing deposition will take place on **Thursday, August 20, 2009 at 1:00 p.m.** at the following location:

Gunter Building
2540 Shumard Oak Blvd.
Room 382D
Tallahassee, FL 32399

The witness should bring copies of all the work papers or other materials used by the witness in the preparation of any testimony filed in the captioned docket(s) or used by the witness in the preparation of any responses to SFHHA's discovery requests in the captioned docket(s). **Since the deposition will be taken by telephone, please have a Notary Public available to swear in the witness.** Counsel wishing to appear via telephone may call 1-888-419-8999 and enter Conference ID No. 0342106. Counsel may also appear in person.

This deposition is being taken for purposes of discovery, for use at trial, or for any other purpose allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact Kenneth L. Wiseman, Esq. at (202) 662-2715. If hearing impaired, call 1-800-955-8771 (TDD) or 1-800-955-8770 (V) via Florida Relay Service for assistance.

Kenneth L. Wiseman
Mark F. Sundback
Jennifer L. Spina
1350 I Street, NW
Suite 1100
Washington, DC 20005
Tel: (202) 662-2700
Fax: (202) 662-2739

Lino Mendiola
Meghan Griffiths
111 Congress Avenue
Suite 1700
Austin, TX 78701
Tel: (512) 320-9200
Fax: (512) 320-9292

Attorneys for South Florida Hospital and
Healthcare Association

By: /s/ Kenneth L. Wiseman
Kenneth L. Wiseman

CERTIFICATE OF OATH

STATE OF _____

COUNTY OF _____

I, the undersigned authority, certify that _____
personally appeared before me at _____ and was duly sworn by
me to tell the truth.

WITNESS my hand and official seal in the City of _____, County of
_____, State of _____, this _____ day of _____,
20_____.

Notary Public
State of _____

Personally known _____ OR produced identification _____.

Type of identification produced _____.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by electronic mail and U.S. mail to the following parties on this 14th day of August, 2009 to the following:

Robert A. Sugarman
D. Marcus Braswell, Jr., Esq.
I.B.E.W. System Council U-4
c/o Sugarman Law Firm
100 Miracle Mile, Suite 300
Coral Gables, FL 33134

J.R. Kelly
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Jean Hartman
Lisa Bennett
Martha Brown
Anna Williams
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Thomas Saporito
Saporito Energy Consultants
Post Office Box 8413
Jupiter, FL 33468-8413

John T. Butler
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Mr. Wade Litchfield
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859

Robert Scheffel Wright
c/o Florida Retail Federation
225 South Adams Street, Suite 200
Tallahassee, FL 32301

Jack Leon, Natalie Smith
Senior Attorney
Florida Power & Light Company
9250 W. Flagler Street, Suite 6514
Miami, Florida 33174

Bill McCollum, Attorney General
Cecilia Bradley, Senior Assistant General
Florida Bar No. 0363790
Office of the Attorney General
The Capitol – PL01
Tallahassee, FL 32399-1050

Bethany Burgess
Brian P. Armstrong
Nabors, Giblin & Nickerson, PA
1500 Mahan Drive, Suite 200
Tallahassee, FL 32308

John W. McWhirter, Jr.
c/o McWhirter Law Firm
PO Box 3350
Tampa, FL 33601

Joseph McGlothlin
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Vicki Gordon Kaufman
Jon C. Moyle, Jr.
Keefe Anchors Gordon & Moyle
118 North Gadsden Street
Tallahassee, Fl 32301

Tamela Ivey Perdue
Associated Industries of Florida
516 North Adams Street
Tallahassee, FL 32301
Phone: 850-224-7173

Shayla L. McNeill, Capt, USAF
Federal Executive Agencies
c/o AFLSA/JACL-ULT
139 Barnes Drive, Suite 1
Tyndall AFB, FL 32403-5319

Lino Mendiola
Meghan Griffiths
Andrews Kurth LLP
111 Congress Avenue, Suite 1700
Austin, TX 78701-4069

Dan Moore/Stephanie Alexander
Association For Fairness In Rate Making
316 Maxwell Road, Suite 400
Alpharetta, GA 30009

/s/ Kenneth L. Wiseman
Kenneth L. Wiseman, Esq.