

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne, and Ivan, by Progress Energy Florida, Inc.

Docket No: 041272-EI
Filed: January 21, 2005

CROSS-NOTICE OF DEPOSITION

TO: John T. Burnett, Esquire
Carlton Fields
4221 W. Boy Scout Boulevard
Tampa, Florida 33607

NOTICE is hereby given that the Florida Industrial Power Users Group will take depositions at the offices of Carlton Fields, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, FL 33607 on Monday, January 24, 2005 of the following persons upon the conclusion of questions asked by the Office of Public Counsel:

Mark Wimberly
Corporate representative(s) within the company who are knowledgeable of the Florida transmission and distribution organization budgets for 2003, 2004 and 2005; budget variance reports for 2004 to date; business plans for 2003, 2004 and 2005; development of storm cost estimates for capital, labor, material and supplies, overheads, contract crews, tree trimming crews and any other storm recovery issues relevant to the transmission and distribution organization.
Corporate representative who is the overall coordinator of the development and the production of the storm cost estimates that have been submitted by Progress Energy in this docket.
Corporate representative who is the subject matter expert regarding the capital cost calculations included in the storm recovery request, including the handling of replacement transactions, cost of removal and booking of new capital additions into the corporate records.
Javier Portuondo

Each witness should bring copies of all workpapers or other materials used by the witness in the preparation of his or her direct testimony filed in this docket or used by the witness in the preparation of responses to discovery requests in this docket.

The depositions shall be taken upon oral examination before an official court reporter or other officer authorized by law to take depositions. 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, 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 Cross-Notice of Deposition has been furnished by e-mail and U.S. Mail this 21st day of January 2005, to the following:

Jennifer Brubaker
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s/ Timothy J. Perry
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