

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Environmental Cost )  
Recovery Clause ) DOCKET NO. 130007-EI  
\_\_\_\_\_ ) FILED: October 4, 2013

**NOTICE OF TAKING DEPOSITION OF FLORIDA POWER & LIGHT COMPANY**

DeSoto County Generating Company, LLC, an intervenor party in this proceeding, pursuant to Uniform Rule 28-106.206, Florida Administrative Code, and Rules 1.310(a) and 1.310(b)(6), Florida Rules of Civil Procedure, hereby gives notice of taking the deposition of Florida Power & Light Company ("FPL"), one of the Petitioners in the above-styled proceeding, beginning at 8:30 a.m. on Wednesday, October 9, 2013, at FPL's offices located at 700 Universe Boulevard, Juno Beach, Florida 33408-0420, or at another mutually agreeable time and place in the State of Florida designated by FPL. As required by Rule 1.310(b)(6), the subject matter of the deposition is set forth with reasonable particularity on Attachment A to this Notice. FPL is requested to designate its corporate representative or representatives most knowledgeable and best able to testify with respect to the indicated subject matter. Assuming that FPL's witnesses who have filed testimony in the above-styled docket, and whose depositions have already been noticed to be taken on October 9 and 10, 2013, are able to testify with regard to the subject matter shown on Attachment A, DeSoto will be satisfied with FPL producing those

witnesses for deposition, with each such witness being designated as capable of responding to each of the subject matter areas shown on Attachment A.

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 Rules of the Florida Public Service Commission, and the Florida Uniform Rules of Procedure.

Please govern yourself accordingly.

Dated this 4th day of October, 2013.



Robert Scheffel Wright

[schef@gbwlegal.com](mailto:schef@gbwlegal.com)

John T. LaVia, III

[jlavia@gbwlegal.com](mailto:jlavia@gbwlegal.com)

Gardner, Bist, Wiener, Wadsworth, Bowden,  
Bush, Dee, LaVia & Wright, P.A.

1300 Thomaswood Drive  
Tallahassee, Florida 32308  
Telephone (850) 385-0070  
Facsimile (850) 385-5416

Attorneys for DeSoto County Generating  
Company, LLC

**ATTACHMENT A**

**PSC DOCKET NO. 130007-EI, ENVIRONMENTAL COST RECOVERY CLAUSE,  
FPL'S PETITION FOR APPROVAL OF NO2 COMPLIANCE PROJECT**

**SUBJECT MATTER FOR FPL CORPORATE REPRESENTATIVE DEPOSITION**

1. Evaluation of all FPL and non-FPL generation alternatives.
2. FPL's evaluation of purchasing the DeSoto Generating Facility or purchasing that Facility's output pursuant to a power purchase agreement (PPA), including all FPL assumptions re: the DeSoto Facility, the Facility's performance and characteristics, initial costs associated with DeSoto purchase, and long-term O&M costs if FPL were to own the Facility.
3. All transmission studies, analyses, assumptions, and issues considered relating to the potential purchase of the DeSoto Facility.
4. All reliability studies, analyses, assumptions, and issues considered relating to the potential purchase of the DeSoto Facility, including but not limited to the following:
  - A. Comparisons of reliability impacts/considerations for existing GTs, FPL's proposed CTs, and DeSoto
  - B. The Start-up, Ramp-up, or Quick-start capability of the existing GTs that FPL proposes to replace vs. the comparable characteristics of the new CTs proposed by FPL vs. the comparable characteristics of the DeSoto Facility.
  - C. Contingency reserves
  - D. Reserve margin impacts and considerations
  - E. Any other reserve requirements or reliability considerations, e.g., local reliability requirements or the requirement that FPL "return to n-1 posture within 30 minutes of contingency"
5. FPL's Projected Costs of the NO2 Compliance Project as proposed by FPL and the projected costs of all alternatives to the NO2 Compliance Project as proposed.
6. FPL's experience purchasing capacity and energy from, or generated by, the DeSoto Facility.

7. FPL's evaluation of transmission improvements, upgrades, and costs associated with all options considered by FPL to comply with the 1-Hour NO<sub>2</sub> Standard, including all assumptions that were utilized in any such evaluations.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following by electronic mail on this 4th day of October 2013.

Charles Murphy  
Florida Public Service Commission  
Division of Legal Services  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

Ausley Law Firm  
James D. Beasley/J. Jeffry Wahlen  
Post Office Box 391  
Tallahassee, FL 32302

Beggs & Lane  
Jeffrey A. Stone/Russell A. Badders  
P.O. Box 12950  
Pensacola, FL 32591-2950

Brickfield Law Firm  
James W. Brew/F. Alvin Taylor  
Eighth Floor, West Tower  
1025 Thomas Jefferson Street, NW  
Washington, DC 20007-5201

Federal Executive Agencies  
Captain Samuel Miller  
USAF/AFLOA/JACL/ULFSC  
139 Barnes Drive, Suite 1  
Tyndall AFB, FL 32403-5319

Florida Industrial Power Users Group  
c/o Moyle Law Firm  
Vicki Gordon Kaufman/Jon C. Moyle, Jr  
118 North Gadsden Street  
Tallahassee, FL 32301

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

Florida Power & Light Company  
Kenneth Hoffman  
215 South Monroe Street, Suite 810  
Tallahassee, FL 32301-1858

Gulf Power Company  
Mr. Robert L. McGee, Jr.  
One Energy Place  
Pensacola, FL 32520-0780

Hopping Law Firm  
Gary V. Perko  
P.O. Box 6526  
Tallahassee, FL 32314

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

Progress Energy Florida, Inc.  
Paul Lewis, Jr.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301

Progress Energy Service Company, LLC  
John T. Burnett/Dianne M. Triplett  
Post Office Box 14042  
St. Petersburg, FL 33733

Tampa Electric Company  
Ms. Paula K. Brown  
Regulatory Affairs  
P. O. Box 111  
Tampa, FL 33601-0111

White Springs Agricultural Chemicals,  
Inc.  
P.O. Box 300  
White Springs, FL 32096

  
Attorney