

ORIGINAL

TOM LEE
President

ALLAN BENSE
Speaker



STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL



c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

Harold McLean
Public Counsel

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Patricia A. Christensen
Associate Public Counsel

January 13, 2005

RECEIVED-FPSC
05 JAN 13 PM 4:02
COMMISSION
CLERK

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: Docket No. 041272-EI

Dear Ms. Bayó:

Enclosed please find an original and one copy of a Notice of Deposition for filing in the above-referenced docket.

Please indicate receipt of filing by date-stamping the attached copy of this letter and returning it to this office. Thank you for your assistance in this matter.

Sincerely,

Patricia A. Christensen
Associate Public Counsel

- CMP _____
- COM _____
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- ECR _____
- GCL PAC/dsb
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
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DOCUMENT NUMBER-D/ 00490 JAN 13
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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 13, 2005

NOTICE OF DEPOSITION

TO: John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

NOTICE is hereby given that Patricia A. Christensen of the Office of Public Counsel will take depositions at the offices of Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, FL 33607, of the following persons at the times indicated:

Mark Wimberly	9:00 a.m.
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.	10:00 a.m.
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	10:30 a.m.
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.	11:00 a.m.
Javier Portuondo	1:00 p.m.

These depositions shall be taken upon oral examination before an official court reporter or other officer authorized by law to take depositions. These depositions are being taken for purposes of discovery, for use at trial, or for any other purposes allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

Any person requiring some accommodation at these depositions because of a physical impairment should call the Office of Public Counsel at (800) 342-0222 at least 48 hours prior to the deposition. Any person who is hearing or speech impaired, please contact the Office of Public Counsel by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

For parties who wish to attend by telephone the call in number is: Non-Suncom (850) 414-6477 Suncom 994-6477.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Respectfully submitted,



Patricia A. Christensen
Associate Public Counsel

Office of Public Counsel
111 W. Madison Street, Room 812
c/o The Florida Legislature
Tallahassee, FL 32399-0850

(850) 488-9330

Attorney for the Citizens
of the State of Florida

**CERTIFICATE OF SERVICE
DOCKET NO. 041272-EI**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Deposition has been furnished by hand-delivery(*) or facsimile(**) and U.S. Mail to the following parties on this 13th day of January, 2005:

Jennifer Brubaker, Esquire*
Jennifer Rodan, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Vicki Gordon Kaufman, Esquire**
Timothy J. Perry, Esquire
McWhirter Reeves
117 S. Gadsden Street
Tallahassee, Florida 32301

James A. McGee, Esquire**
Progress Energy Service Company, LLC
100 Central Avenue
St. Petersburg, Florida 33701

Bonnie E. Davis, Esquire*
Progress Energy Florida, Inc.
106 East College Avenue, Suite 800
Tallahassee, Florida 32301-7740

John W. McWhirter, Jr.**
McWhirter Reeves
400 North Tampa Street, Suite 2450
Tampa, Florida 33601-3350

Gary Sasso
James Walls
John Burnett**
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

Michael B. Twomey, Esquire**
Post Office Box 5256
Tallahassee, FL 32314-5256



Patricia A. Christensen
Associate Public Counsel

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 13, 2005

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA:

TO: Mark Wimberly
c/o John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, Florida 33607, on Monday, January 24, 2005, at 9:00 a.m., for the taking of your deposition in this action and to have with you at that time and place the following: 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 discovery requests in this docket. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on January 13, 2005.



Patricia A. Christensen
Associate Public Counsel
Florida Bar No. 0989789
Office of Public Counsel
111 W. Madison Street, Room 812
c/o The Florida Legislature
Tallahassee, FL 32399-0850

(850) 488-9330

Attorney for the Citizens
of the State of Florida

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 13, 2005

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA:

TO: The corporate representative(s) within the company who is/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.

c/o John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, Florida 33607, on Monday, January 24, 2005, at 10:00 a.m., for the taking of your deposition in this action and to have with you at that time and place the following: We request that this witness(es) bring the necessary records to the deposition responsive to the issues that we have identified under the above description of the corporate representative. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on January 13, 2005.



Patricia A. Christensen
Associate Public Counsel
Florida Bar No. 0989789
Office of Public Counsel
111 W. Madison Street, Room 812
c/o The Florida Legislature
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In re: Petition for approval of storm cost
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Frances, Jeanne, and Ivan, by Progress
Energy Florida, Inc.

Docket No. 041272-EI
Filed: January 13, 2005

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA:

TO: The corporate representative(s) who is/are the overall coordinator(s) of the development and the production of the storm cost estimates that have been submitted by Progress Energy in this Docket.

c/o John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, Florida 33607, on Monday, January 24, 2005, at 10:30 a.m., for the taking of your deposition in this action and to have with you at that time and place the following: We request that this witness(es) bring the necessary documents in their possession to answer questions regarding all inputs and outputs, including the sources of information that were considered in the development of the total storm cost estimates that have been submitted by the company in this docket. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on January 13, 2005.



Patricia A. Christensen
Associate Public Counsel
Florida Bar No. 0989789
Office of Public Counsel
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Tallahassee, FL 32399-0850

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Docket No. 041272-EI
Filed: January 13, 2005

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA:

TO: The 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.

c/o John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, Florida 33607, on Monday, January 24, 2005, at 11:00 a.m., for the taking of your deposition in this action and to have with you at that time and place the following: We request that this witness(es) bring such records to the deposition as are necessary to respond to such issues listed under the above description of the corporate representative. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on January 13, 2005.



Patricia A. Christensen
Associate Public Counsel
Florida Bar No. 0989789
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Frances, Jeanne, and Ivan, by Progress
Energy Florida, Inc.

Docket No. 041272-EI
Filed: January 13, 2005

SUBPOENA DUCES TECUM FOR DEPOSITION

THE STATE OF FLORIDA:

TO: Javier Portuondo
c/o John Burnett
Carlton Fields Law Firm
Post Office Box 3239
Tampa, FL 33607-3239

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at the Carlton Fields Offices, 4221 W. Boy Scout Boulevard, Corporate Center 3, at International Plaza, Tampa, Florida 33607, on Monday, January 24, 2005, at 1:00 p.m., for the taking of your deposition in this action and to have with you at that time and place the following: 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 discovery requests in this docket. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on January 13, 2005.



Patricia A. Christensen
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