

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Florida Power & Light Company’s
Petition for Authority to Recover
Prudently Incurred Storm Restoration
Costs Related to the 2004 Storm Season
That Exceed the Storm Reserve Balance

Docket No: 041291-EI
Filed: January 27, 2005

CROSS-NOTICE OF DEPOSITION

TO: R.Wade Litchfield, Esquire
Natalie Smith, Esquire
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

NOTICE is hereby given that the Florida Industrial Power Users Group will take depositions of the following persons at the offices of Florida Power & Light Company (“FPL”) located at 9250 West Flagler Street, Miami, Florida on Monday, Friday January 28, 2005 upon the conclusion of questions asked by the Office of Public Counsel:

Corporate representative who is the subject matter expert who had primary responsibility for preparing, or coordinating the development and preparation of, the storm cost estimates that have been submitted by FPL

-and-

The corporate representative who is the subject matter expert having ongoing responsibility for and knowledge of the transmission and distribution organization budgets, as well as reports of variances between budgeted and actual numbers (transmission and distribution) for 2004 to date.

K. Michael Davis

-and-

Corporate representative who is the subject matter expert having responsibility for and knowledge of capital cost calculations included in the storm recovery request, including the handling of retirement and replacement transactions, cost of removal, and the booking of new capital additions into the corporate records.

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 electronic mail and U.S. Mail this 27th day of January 2005, to the following:

Wm. Cochran Keating IV
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s/ Timothy J. Perry
Timothy J. Perry