

Ruth Nettles

From: Rhonda Dulgar [rdulgar@yvlaw.net]
Sent: Monday, May 18, 2009 3:38 PM
To: John T. Butler; Ken Rubin; Ken Hoffman; R. Wade Litchfield; Erik Saylor; Filings@psc.state.fl.us; Ralph Jaeger; Schef Wright
Subject: Electronic Filing - Docket 080244-EI
Attachments: 080244.NoticeofDepo.JohnMcEvoy.5-18-09.pdf

a. Person responsible for this electronic filing:

Robert Scheffel Wright
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, FL 32301
(850) 222-7206
swright@yvlaw.net

b. 080244-EI

In Re: Petition for Approval of Underground Conversion Tariff Revisions by Florida Power & Light Company.

c. Document being filed on behalf of the Municipal Underground Utilities Consortium.

d. There are a total of 5 pages.

e. The document attached for electronic filing is The Municipal Underground Utilities Consortium, et al's Notice of Taking Telephonic Deposition, Duces Tecum of John J. McEvoy.

(see attached file: 080244.NoticeofDepo.JohnMcEvoy.5-18-09.pdf)

Thank you for your attention and assistance in this matter.

Rhonda Dulgar
Secretary to Schef Wright
Phone: 850-222-7206
FAX: 850-561-6834

DOCUMENT NUMBER-DATE
04876 MAY 18 8
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of Underground Conversion Tariff Revisions.)
)
)

Docket No. 080244-EI

In re: Petition for approval of 2007 revisions to underground residential and commercial distribution tariff, by Florida Power & Light Company.)
)
)

Docket No. 070231-EI
Filed: May 18, 2009

THE MUNICIPAL UNDERGROUND UTILITIES CONSORTIUM, ET AL.,
NOTICE OF TAKING TELEPHONIC DEPOSITION, DUCES TECUM
OF JOHN J. McEVOY

TO: John T. Butler, Esquire
Kenneth M. Rubin, Esquire
Law Department
Florida Power & Light Company]
700 Universe Boulevard
Juno Beach, Florida 33408

PLEASE TAKE NOTE THAT, PURSUANT TO Florida Rule of Civil Procedure 1.310, the Municipal Underground Utilities Consortium ("MUUC") will take the telephonic deposition upon oral examination of JOHN J. McEVOY. The witness should bring with him all documents on the attached schedule. The foregoing deposition will take place on **Thursday, May 21, 2009, beginning at 1:00 p.m.**, before a court reporter, a Notary Public or some other officer authorized by law to take depositions. **Since the deposition will be taken by telephone, please have a Notary Public available to swear in the witness.** Witness and Counsel may participate telephonically. A dial-in number for all parties will be provided by separate e-mail. Parties may also appear in person.

The deposition will take place at the following location:

DOCUMENT NUMBER-DATE

04876 MAY 18 8

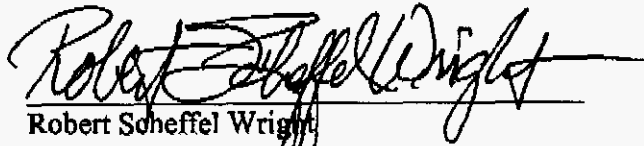
FPSC-COMMISSION CLERK

Law Offices of Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, Florida 32301

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 Rhonda Dulgar or Robert Scheffel Wright, Esquire, at (850) 222-7206. If hearing impaired, call 1-800-955-8771 (TDD) or 1-800-955-8770 (V) via Florida Relay Service for assistance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Scheffel Wright", written over a horizontal line.

Robert Scheffel Wright
John T. LaVia, III
Young van Assenderp, P.A.
225 South Adams Street, Suite 200
Tallahassee, Florida 32301
Telephone (850)222-7206
Facsimile (850)561-6834

CERTIFICATE OF SERVICE
Docket Nos. 080244-EI and 070231-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic delivery on the 18th day of May 2009, to the following persons:

Ralph Jaeger, Esquire
Erik Saylor, Esquire
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
rjaeger@psc.state.fl.us
esaylor@psc.state.fl.us

John T. Butler, Esquire
Kenneth M. Rubin, Esquire
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408
Email: Ken.Rubin@fpl.com
John.Butler@fpl.com

Brian P. Armstrong, Esquire
Marlene K. Stern, Esquire
Nabors, Giblin & Nickerson, P.A.
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and Vukelja
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simpson66@bellsouth.net

MUUC/City of Coconut Creek
Thomas G. Bradford, Deputy Town Mgr
c/o Town of Palm Beach, Florida
360 South County Road
Palm Beach, FL 33480
Telephone: (561) 838-5410
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City of South Daytona
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P.O. Box 214960
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ATTORNEY

cc: Accurate Stenotype Reporters
2894-A Remington Green Lane
Tallahassee, Florida 32308

SCHEDULE "A"
DUCES TECUM

Provide all materials reviewed and relied upon by each witness in conjunction with the formation of his opinions, testimony and exhibits, along with any and all materials generated by each witness.

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 _____, 2008.

By: _____
Notary Public

State of: _____

Personally known _____ OR produced Identification _____

Type of Identification produced: _____