

**Marguerite McLean**

080677-EI

**From:** Lynette Tenace [ltenace@kagmlaw.com]  
**Sent:** Tuesday, August 11, 2009 2:11 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Lisa Bennett; Anna Williams; Jean Hartman; Theresa Walsh; Martha Brown; mcglathlin.joseph@leg.state.fl.us; swright@yvlaw.net; support@saporitoenergyconsultants.com; kwiseman@andrewskurth.com; linomendiola@andrewskurth.com; meghangriffiths@andrewskurth.com; Wade\_litchfield@fpl.com; John.Butler@fpl.com; tperdue@aif.com; barmstrong@ngnlaw.com; Cecilia.bradley@myfloridalegal.com; sda@trippscott.com; sugarman@sugarmansusskind.com; MBraswell@sugarmansusskind.com; shayla.mcneill@tyndall.af.mil; Jack.leon@fpl.com; jmcwhirter@mac-law.com  
**Subject:** Docket No. 080677  
**Attachments:** FIPUG Notice of Deposition Ender 08.11.09.pdf

In accordance with the electronic filing procedures of the Florida Public Service Commission, the following filing is made:

- a. The name, address, telephone number and email for the person responsible for the filing is:

Vicki Gordon Kaufman  
 Jon C. Moyle, Jr.  
 Keefe Anchors Gordon & Moyle  
 118 North Gadsden Street  
 Tallahassee, FL 32301  
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[vkaufman@kagmlaw.com](mailto:vkaufman@kagmlaw.com)  
[jmoyle@kagmlaw.com](mailto:jmoyle@kagmlaw.com)

- b. This filing is made in Docket No. 080677-EI, In re: Petition for increase in rates by Florida Power & Light Company.  
 c. The document is filed on behalf of Florida Industrial Power Users Group.  
 d. The total pages in the document are 4 pages.  
 e. The attached document is FIPUG's Notice of Telephonic Deposition Duces Tecum.

Lynette Tenace

**NOTE: New E-Mail Address**  
[ltenace@kagmlaw.com](mailto:ltenace@kagmlaw.com)



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DOCUMENT NUMBER - DATE

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for increase in rates by Florida Power & Light Company.

DOCKET NO. 080677-EI

DATED: August 11, 2009

CROSS-NOTICE OF TELEPHONIC DEPOSITION DUCES TECUM

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

NOTICE is hereby given that the Florida Industrial Power Users Group (FIPUG) will take the telephonic deposition of the following named individual indicated below:

NAME	DATE and TIME	LOCATION
Joseph Ender	Thursday, August 20, 2009, at 1:00 p.m.	Room 382D, Gunter Building 2540 Shumard Oak Blvd. Tallahassee, FL 32399

DOCUMENTS REQUESTED

The witness should bring copies of all the work papers or other materials used by the witness in the preparation of any testimony filed in this docket or used by the witness in the preparation of any responses to discovery requests in this docket. **Since the deposition will be taken by telephone, please have a Notary Public available to swear in the witness.**

This telephone 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 note that parties may participate in this deposition by calling the telephone number to be provided by separate email. Parties may also attend in person.

DOCUMENT NUMBER-DATE

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Please govern yourself accordingly.

s/ Jon C. Moyle, Jr.

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Attorneys for FIPUG

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 \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Notary Public

State of \_\_\_\_\_

Personally known \_\_\_\_\_ OR produced identification \_\_\_\_\_.

Type of identification produced \_\_\_\_\_.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Cross-Notice of Telephonic Deposition was furnished by Electronic and U.S. Mail, on this 11<sup>th</sup> day of August, 2009 to the following:

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Anna Williams, Jean Hartman, Martha Brown  
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s/Jon C. Moyle, Jr.  
Jon C. Moyle, Jr.