

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Fuel and Purchased Power  
Cost Recovery Clause with  
Generating Performance Incentive  
Factor

DOCKET NO. 20190001-EI

FILED: August 21, 2019

**NOTICE OF CONFIDENTIAL DEPOSITION DUCES TECUM**

TO: Duke Energy Florida, LLC  
Dianne M. Triplett, Esq.  
299 First Avenue North  
St. Petersburg, FL 33701  
[dianne.triplett@duke-energy.com](mailto:dianne.triplett@duke-energy.com)

Matthew R. Bernier, Esq.  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301  
[matthew.bernier@duke-energy.com](mailto:matthew.bernier@duke-energy.com)

NOTICE is hereby given that pursuant to Rule 28-106.206, Florida Administrative Code and Florida Rule of Civil Procedure 1.310, the Office of Public Counsel will take the deposition of the following named individuals at the location and time indicated below:

NAME	DATE and TIME	LOCATION
Duke Energy Florida, LLC (DEF) Corporate Representative, or Panel of Corporate Representatives, as described below.	Friday, August 30, 2019 11:30 A.M.	Duke Energy Florida, LLC 299 First Avenue North St. Petersburg, FL 33701

Please produce as a corporate representative the following person or persons:

1. The Restoration Team (“Team”) referenced in the testimony of DEF witness Jeffery Swartz, found in Vol. III, at P. 407, Line 22 through P. 408, Line 1, of the transcript of the Hearing from November 5, 2018.

Each deponent is requested to bring the documents which are related to his or her role(s) in the analysis and resolution of the operational problems at the root of the Bartow Plant outage issues. Please

also bring a copy of each preliminary, interim and final report (including any revised or updated final report) generated by the Team, including drafts circulated within and outside the Team for review and comment. Please also bring all workpapers, analysis, memoranda, supporting documentation (including documents relied upon, consulted and referenced in the development and preparation of the reports generated by the Team. The term “report” includes any document that the Team produced that contained a recommendation for action.

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

Please govern yourselves accordingly.

Respectfully Submitted,

J.R. KELLY  
PUBLIC COUNSEL

/s/ Thomas A. (Tad) David  
Thomas A. (Tad) David  
Associate Public Counsel

Charles J. Rehwinkel  
Deputy Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(850) 488-9330

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

**Docket No. 20190001-EI**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 21<sup>st</sup> day of August, 2019, to the following:

Florida Public Service Commission  
Office of General Counsel  
Suzanne Brownless  
2540 Shumard Oak Blvd.  
Tallahassee, FL32399  
sbrownle@psc.state.fl.us

Ausley Law Firm  
James Beasley  
Jeffrey Wahlen  
Malcom Means  
P.O. Box 391  
Tallahassee, FL 32302  
jbeasley@ausley.com  
jwahlen@ausley.com  
mmeans@ausley.com

Beggs Law Firm  
Steven A. Griffin  
P.O. Box 12950  
Pensacola FL 32591  
srg@beggsllane.com

Duke Energy  
Dianne M. Triplett  
299 First Avenue North  
St. Petersburg, FL 33701  
dianne.triplett@duke-energy.com

Duke Energy  
Matthew R. Bernier  
106 East College Avenue, Suite 800  
Tallahassee, FL 32301  
matthew.bernier@duke-energy.com

Florida Industrial Power Users  
Group  
Jon C. Moyle, Jr.  
118 North Gadsden Street  
Tallahassee, FL 32301  
jmoyle@moylelaw.com

Florida Power & Light Company  
Maria Moncada  
Joel T. Baker  
700 Universe Boulevard  
Juno Beach, FL 33408  
joel.baker@fpl.com  
maria.moncada@fpl.com

Florida Power & Light Company  
Kenneth A. Hoffman  
134 W. Jefferson Street  
Tallahassee, FL 32301  
ken.hoffman@fpl.com

Florida Public Utilities  
Company  
Mike Cassel  
1750 S. 14th Street, Suite 200  
Fernandina Beach, FL 32034  
mcassel@fpuc.com

Gulf Power Company  
Russell Badders  
C. Shane Boyett  
One Energy Place  
Pensacola, FL 32520  
russell.badders@nexteraenergy.com  
charles.boyett@nexteraenergy.com

Gulf Power Company  
Holly Henderson  
Lisa Roddy  
134 West Jefferson Street  
Tallahassee FL 32301  
holly.henderson@nexteraenergy.com  
Lisa.Roddy@nexteraenergy.com

Gunster Law Firm  
Beth Keating  
215 South Monroe Street,  
Suite 601  
Tallahassee, FL 32301  
bkeating@gunster.com

PCS Phosphate  
James W. Brew  
Laura A. Wynn  
Eighth Floor, West Tower  
1025 Thomas Jefferson St., NW  
Washington, DC 20007  
jbrew@smxblaw.com  
law@smxblaw.com

Tampa Electric Company  
Regulatory Affairs  
Paula K. Brown  
P.O. Box 111  
Tampa, FL 33601  
regdept@tecoenergy.com

/s/Thomas A. (Tad) David  
Thomas A. (Tad) David  
Associate Public Counsel  
Florida. Bar No. 0706868