

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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

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Docket No. 040001-EI  
Filed: October 27, 2004

**CROSS-NOTICE OF DEPOSITION OF THOMAS HARTMAN**

TO: John T. Butler, Esquire  
Steel Hector & Davis Law Firm  
200 South Biscayne Blvd.  
Suite 400  
Miami, Florida 33131-2398

**NOTICE** is hereby given that the Florida Industrial Power Users Group will take the telephonic deposition of Thomas Hartman, upon oral examination before an official court reporter or other officer authorized by law to take depositions at the following time and location indicated:

Thursday, October 28, 2004  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, Florida 33408  
Upon the conclusion of questions asked by counsel for Staff of the Florida Public Service Commission and Thomas K. Churbuck.

The oral examination will continue from day to day until completed.

Each witness should bring copies of all workpapers or other materials used by the witness in the preparation of his direct and rebuttal testimony filed in this docket or used by the witness in the preparation of responses to discovery requests in this docket.

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/ Joseph A. McGlothlin .  
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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 of Thomas Hartman has been furnished by electronic mail and U.S. Mail this 27<sup>th</sup> day of October, 2004, to the following:

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s/ Joseph A. McGlothlin  
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