

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Docket No. 100437-EI)
)
)
 Examination of the outage and)
 replacement fuel/power costs associated)
 with the CR3 steam generator)
 replacement project, by Progress Energy)
 Florida, Inc.)

RECEIVED-FPSC
13 MAY -2 PM 3:42
COMMISSION
CLERK

SUBPOENA FOR DEPOSITION


THE STATE OF FLORIDA

TO: Jon Franke – Former CR3 Station VP

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED: May 2, 2013



Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850
www.floridapsc.com

This subpoena has been issued at the request of Charles Rehwinkel, Deputy Public Counsel

Attorney for: Office of Public Counsel
Address: c/o Florida Legislature, 111 W. Madison St., Suite 812, Talla, FL 32399-1400
Florida Bar No. 527599

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Contact the Office of Commission Clerk within two working days of your receipt of this subpoena at the address above, telephone no. 850-413-6770, or via 1-800-955-8770 (voice) or 1-800-955-8771 (TDD), Florida Relay Service. R-DATE

02460 MAY-2 2

Section 120.569 (2) (k), Florida Statutes

(k)1. Any person subject to a subpoena may, before compliance and on timely petition, request the presiding officer having jurisdiction of the dispute to invalidate the subpoena on the ground that it was not lawfully issued, is unreasonably broad in scope, or requires the production of irrelevant material.

2. A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this chapter by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subparagraph 1. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

3. Any public employee subpoenaed to appear at an agency proceeding shall be entitled to per diem and travel expenses at the same rate as that provided for state employees under s. 112.061 if travel away from such public employee's headquarters is required. All other witnesses appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as is provided in civil actions in circuit courts of this state. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement, and in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

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(3) Any motion to quash or limit the subpoena shall be filed with the presiding officer and shall state the grounds relied upon.

*Rulemaking Authority 14.202, 120.54(5)
FS. Law Implemented 120.54(5) FS
History—New 4-1-97*

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ON:

_____, 20____, at _____
o'clock, ____m. , and served the same on _____,
20____, at _____ o'clock, ____m. by delivering a
true copy thereof (together with the fee for one day's
attendance and the mileage allowed by law*) to:

COMPLETE IF SERVED BY SHERIFF OR APPOINTEE

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____
By: _____

Sworn and subscribed to before me,
This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

Or (check if) _____ personally known.

(notary public)

SEAL

NOTE: Notarized Affidavit required only if service is made by a person other than a Sheriff, a Deputy Sheriff, or a certified process server. Chapter 48, Florida Statutes.

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THE STATE OF FLORIDA

TO: Bill Johnson – Former Progress Energy and Duke Energy CEO

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By: _____

Title: _____

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By: _____

Sworn and subscribed to before me,

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Type of identification: _____

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(notary public)

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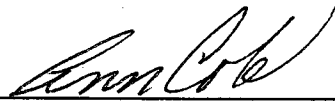
THE STATE OF FLORIDA

TO: Jeff Lyash – Former Duke Executive VP and former Progress Energy Florida President

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FS. Law Implemented 120.54(5) FS
History--New 4-1-97*

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APPOINTEE**

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____

By: _____

Sworn and subscribed to before me,

This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

Or (check if) _____ personally known.

(notary public)

SEAL

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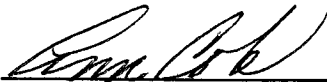
THE STATE OF FLORIDA

TO: John McArthur – Former Duke Executive VP

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_____, 20____, at _____
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By: _____

Title: _____

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By: _____

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SUBPOENA FOR DEPOSITION

THE STATE OF FLORIDA

TO: David Ripsom (NEIL) – NEIL CEO

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

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TO: Ken Manne (NEIL) – NEIL Executive and General Counsel

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TO: Vincent Dolan – Former Progress Energy Florida President

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www.floridapsc.com

This subpoena has been issued at the request of Charles Rehwinkel, Deputy Public Counsel

Attorney for: Office of Public Counsel
Address: c/o Florida Legislature, 111 W. Madison St., Suite 812, Talla, FL 32399-1400
Florida Bar No. 527599

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Contact the Office of Commission Clerk within two working days of your receipt of this subpoena at the address above, telephone no. 850-413-6770, or via 1-800-955-8770 (voice) or 1-800-955-8771 (TDD), Florida Relay Service.

Section 120.569 (2) (k), Florida Statutes

(k)1. Any person subject to a subpoena may, before compliance and on timely petition, request the presiding officer having jurisdiction of the dispute to invalidate the subpoena on the ground that it was not lawfully issued, is unreasonably broad in scope, or requires the production of irrelevant material.

2. A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this chapter by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subparagraph 1. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

3. Any public employee subpoenaed to appear at an agency proceeding shall be entitled to per diem and travel expenses at the same rate as that provided for state employees under s. 112.061 if travel away from such public employee's headquarters is required. All other witnesses appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as is provided in civil actions in circuit courts of this state. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement, and in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

Rule 28-106.212, Florida Administrative Code

(1) Upon the request of any party, a presiding officer shall issue subpoenas for the attendance of witnesses for deposition or at the hearing. The requesting party shall specify whether the witness is also requested to bring documents.

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(3) Any motion to quash or limit the subpoena shall be filed with the presiding officer and shall state the grounds relied upon.

*Rulemaking Authority 14.202, 120.54(5)
FS. Law Implemented 120.54(5) FS
History—New 4-1-97*

**RECEIVED THIS SUBPOENA FOR DEPOSITION
ON:**

_____, 20____, at _____
o'clock, ____m., and served the same on _____,
20____, at _____ o'clock, ____m. by delivering a
true copy thereof (together with the fee for one day's
attendance and the mileage allowed by law*) to:

**COMPLETE IF SERVED BY SHERIFF OR
APPOINTEE**

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____

By: _____

Sworn and subscribed to before me,

This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

Or (check if) _____ personally known.

(notary public)

SEAL

NOTE: Notarized Affidavit required only if service is made by a person other than a Sheriff, a Deputy Sheriff, or a certified process server. Chapter 48, Florida Statutes.

*Fees and milage need not be tendered to public employees subject to Section 12.061, Florida Statutes.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Docket No. 100437-EI)
)
)
Examination of the outage and)
replacement fuel/power costs associated)
with the CR3 steam generator)
replacement project, by Progress Energy)
Florida, Inc.)

SUBPOENA FOR DEPOSITION

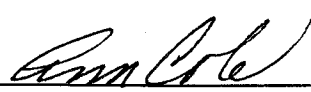
THE STATE OF FLORIDA

TO: Mark Mulhearn – Former Progress CEO

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED: May 2, 2013



Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850
www.floridapsc.com

This subpoena has been issued at the request of Charles Rehwinkel, Deputy Public Counsel

Attorney for: Office of Public Counsel
Address: c/o Florida Legislature, 111 W. Madison St., Suite 812, Talla, FL 32399-1400
Florida Bar No. 527599

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2. A party may seek enforcement of a subpoena, order directing discovery, or order imposing sanctions issued under the authority of this chapter by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while a subpoena is being challenged under subparagraph 1. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

3. Any public employee subpoenaed to appear at an agency proceeding shall be entitled to per diem and travel expenses at the same rate as that provided for state employees under s. 112.061 if travel away from such public employee's headquarters is required. All other witnesses appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as is provided in civil actions in circuit courts of this state. In the case of a public employee, such expenses shall be processed and paid in the manner provided for agency employee travel expense reimbursement, and in the case of a witness who is not a public employee, payment of such fees and expenses shall accompany the subpoena.

Rule 28-106.212, Florida Administrative Code

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(3) Any motion to quash or limit the subpoena shall be filed with the presiding officer and shall state the grounds relied upon.

*Rulemaking Authority 14.202, 120.54(5)
FS. Law Implemented 120.54(5) FS
History--New 4-1-97*

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20____, at _____ o'clock, ____m. by delivering a
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attendance and the mileage allowed by law*) to:

**COMPLETE IF SERVED BY SHERIFF OR
APPOINTEE**

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____
By: _____

Sworn and subscribed to before me,

This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

Or (check if) _____ personally known.

(notary public)

SEAL

NOTE: Notarized Affidavit required only if service is made by a person other than a Sheriff, a Deputy Sheriff, or a certified process server. Chapter 48, Florida Statutes.

*Fees and milage need not be tendered to public employees subject to Section 12.061, Florida Statutes.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Docket No. 100437-EI)
)
)
 Examination of the outage and)
 replacement fuel/power costs associated)
 with the CR3 steam generator)
 replacement project, by Progress Energy)
 Florida, Inc.)

SUBPOENA FOR DEPOSITION


THE STATE OF FLORIDA

TO: John D. Baker, II – Former Duke Director

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED: May 2, 2013



Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850
www.floridapsc.com

This subpoena has been issued at the request of Charles Rehwinkel, Deputy Public Counsel

Attorney for: Office of Public Counsel
Address: c/o Florida Legislature, 111 W. Madison St., Suite 812, Talla, FL 32399-1400
Florida Bar No. 527599

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**COMPLETE IF SERVED BY SHERIFF OR
APPOINTEE**

_____, 20____, at _____
o'clock, ____m.

By: _____

Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____

By: _____

Sworn and subscribed to before me,

This ____ day of _____, 20____, in
_____ County, Florida.

Type of identification: _____

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IN RE: Docket No. 100437-EI)
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Examination of the outage and)
replacement fuel/power costs associated)
with the CR3 steam generator)
replacement project, by Progress Energy)
Florida, Inc.)

SUBPOENA FOR DEPOSITION


THE STATE OF FLORIDA

TO: Theresa Stone – Former Duke Director

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

YOU ARE SUBPOENAED to appear by the following attorney(s) and, unless excused from this subpoena by these attorneys or the Commission, you shall respond to this subpoena as directed.

DATED: May 2, 2013



Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Boulevard
Tallahassee, Florida 32399-0850
www.floridapsc.com

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Attorney for: Office of Public Counsel
Address: c/o Florida Legislature, 111 W. Madison St., Suite 812, Talla, FL 32399-1400
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By: _____
Title: _____

AFFIDAVIT IF SERVED BY OTHER PERSON

_____, 20____
By: _____

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SUBPOENA FOR DEPOSITION

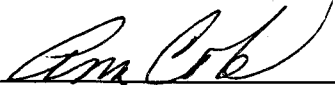
THE STATE OF FLORIDA

TO: Julie Moran (NEIL) – Senior Claims Coordinator

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at _____, in _____, Florida, on _____, 2013, at _____ .m., for the taking of your deposition in this action.

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By: _____

Title: _____

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