

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to determine need for Seminole combined cycle facility, by Seminole Electric Cooperative, Inc.

DOCKET NO. 20170266-EC

In re: Joint Petition to determine need for the Shady Hills combined cycle facility, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC.

DOCKET NO. 20170267-EC

DATED: MARCH 9, 2018

**SEMINOLE ELECTRIC COOPERATIVE, INC.'S
NOTICE OF INTENT TO USE DEPOSITIONS**

Pursuant to Section VI.G of the Order Establishing Procedure (Order No. PSC-2018-0018-PCO-EC), Petitioner, Seminole Electric Cooperative, Inc., (“Seminole”) hereby gives notice of intent to introduce the following depositions for purposes other than impeachment:

DEPOSITION OF QUANTUM CORPORATE REPRESENTATIVE

(1) Name of witness deposed: James Maiz, as designated corporate representative of Quantum Pasco Power, LLC (“Quantum”).

(2) Date deposition was taken: March 6, 2018.

(3) Page and line numbers of deposition that Seminole seeks to introduce: Page 4, line 1 through page 6, line 12; and page 8, line 12 through page 25, line 25.

(4) Purpose for which the use of the deposition transcript is sought: This deposition of Quantum’s designated corporate representative was taken pursuant to Florida Rule of Civil Procedure 1.310(b)(6) and therefore, may be used by an adverse party for any purpose. See Fla. R. Civ. P. 1.330(a)(2). Seminole intends to introduce portions of the deposition to:

(a) establish basic facts about Quantum and the Pasco Facility which was the subject of Quantum’s proposals submitted in response to Seminole’s Request for Proposals;

(b) rebut the assertion made in the “Statement of Ultimate Facts Alleged” in Quantum’s Motion to Intervene and discussed in witness Sotkiewicz’s testimony that Quantum’s proposals

are cost-effective as compared to the Seminole Combined Cycle Facility and as compared to Seminole's proposed power purchases from the Shady Hills Facility;

(c) rebut the assertion made in the "Statement of Ultimate Facts Alleged" in Quantum's Motion to Intervene and discussed in witness Sotkiewicz's testimony that Seminole's Proposed Resource Plan would uneconomically duplicate the capacity of the Pasco Facility, which is already operating reliably within the Florida bulk power supply grid; and

(d) establish facts that have a direct bearing on Intervenors' interests in this proceeding.

DEPOSITION OF MICHAEL TULK

(1) Name of witness deposed: Michael Tulk.

(2) Date deposition was taken: March 8, 2018.

(3) Page and line numbers of deposition that Seminole seeks to introduce: Page 4, lines 1-18; Page 5, line 17 through Page 6, line 12; Page 10, line 13 through Page 11, line 2; Page 12, line 1 through Page 13, line 23.

(4) Purpose for which the use of the deposition transcript is sought: This deposition is of a party and, therefore, may be used by an adverse party for any purpose. See Fla. R. Civ. P. 1.330(a)(2). Seminole intends to introduce portions of the deposition to establish facts that have a direct bearing on Mr. Tulk's interests in this proceeding, as referenced in witness Sotkiewicz's testimony.

DEPOSITION OF PATRICK DALY

(1) Name of witness deposed: Patrick Daly

(2) Date deposition was taken: March 8, 2018.

(3) Page and line numbers of deposition that Seminole seeks to introduce: Page 4, lines 1-18; Page 5, line 17 through Page 6, line 12; Page 9, Line 13, through Page 10, line 16.

(4) Purpose for which the use of the deposition transcript is sought: This deposition is of a party and, therefore, may be used by an adverse party for any purpose. See Fla. R. Civ. P.

1.330(a)(2). Seminole intends to introduce portions of the deposition to establish facts that have a direct bearing on Mr. Daly's interests in this proceeding, as referenced in witness Sotkiewicz's testimony.

HOPPING GREEN & SAMS

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INC., and SHADY HILLS ENERGY CENTER, LLC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail to the following on this 9th day of March, 2018:

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