

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition by Florida Power & Light Company (FPL) for authority to charge FPL rates to former City of Vero Beach customers and for approval of FPL's accounting treatment for City of Vero Beach transaction.

Docket No. 20170235-EI

In re: Joint petition to terminate territorial agreement, by Florida Power & Light and the City of Vero Beach

Docket No. 20170236-EU

Filed: September 20, 2018

**NOTICE OF TAKING DEPOSITION DUCES TECUM**

YOU ARE HEREBY NOTIFIED that INDIAN RIVER COUNTY, by and through its undersigned attorney, will take the deposition by oral examination for purposes of discovery and for use as evidence in said cause:

<u>Date</u>	<u>Time</u>	<u>Witness</u>	<u>Location</u>
9/28/18	9:00a.m.	Jay Kramer	County Attorney's Office Indian River County 1801 27 <sup>th</sup> Street, Building A, Vero Beach, FL 32960

And the witnesses are to have with him at that time and place the following:

**See attached Exhibit "A"**

Said deposition will be taken before *Atlantic Reporting* or any officer authorized to administer oaths by the laws of the State of Florida, and a person who is neither a relative, nor employee, nor attorney, nor counsel of any of the parties and who is neither a relative nor employee of such attorney or counsel, and who is not financially interested in the action.

Said deposition will be taken pursuant to the Florida Rules of Civil Procedure in such cases provided. The said oral examination will continue from hour to hour and from day to day until completed.

No person may attend the deposition with the exception of those persons provided under §90.616, Fla. Stats. (Evidence Code) unless prior notice is provided to the undersigned to permit an order of exclusion or sequestration to be obtained. Lack of notice may cause the deposition to be continued until an order can be obtained.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-mail to: Lynne A. Larkin, Esq., 5690 Highway A1A, #101, Vero Beach, Florida 32963, [lynnelarkin@bellsouth.net](mailto:lynnelarkin@bellsouth.net) and that a true copy has been furnished to the following by electronic mail this 20<sup>th</sup> day of September, 2018.

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Exhibit "A"

<u>Term</u>	<u>Definition</u>
Person/Persons:	"Person" or "persons" include any natural person, proprietorship or partnership and any organization, including any private, public, or municipal corporation, and federal, state, or local government entity.
Communication:	Communication" means any verbal or written contact with another person, including, but not limited to, any conversation, correspondence, interview, or interrogation.
Document/Documents:	<p>The terms "document" and "documentation" mean any writing of any type, kind or nature, whether an original, facsimile, extract of a copy, carbon copy, photostatic or photographic copy, or other copy, including, by way of example but not by way of limitation: ledgers, books, diaries, records, letters, papers, correspondence, messages, memoranda, including any memoranda or transcripts of oral communications, pamphlets, lists, reports, contracts, agreements, notes, statements, bills, checks, claims, telephone logs, correspondence logs, accounts, books of account, studies, working papers, photographs, computer programs, computer printouts, commentaries, files, file memoranda, notebooks, forms, certificates, notices, telegrams, telexes, notations, minutes, resolutions, motions, contracts, summaries, business records of any type or kind (whether on microfilm or stored in computer data banks or tapes), or other written, recorded, typewritten or imprinted item of any type of kind, having corporeal existence, and in any language, including mathematical symbols, in the possession, custody or control of Mr. Kramer.</p> <ol style="list-style-type: none"><li>1. All documents that have been requested in Indian River County's First Request for Production of Documents To Civic Association Of Indian River County, Inc.</li><li>2. All documents that pertain to any of the questions asked in Indian River County's First Request for Admissions to Civic Association Of Indian River County, Inc. and</li></ol>

3. All documents that pertain to any of the interrogatories in Indian River County's First Set Of Interrogatories to Civic Association Of Indian River County, Inc.
4. All documents that evidence communications between Mr. Kramer and any persons such as the Florida Municipal Electric Association concerning the sale of the City of Vero Beach electric utility.
5. All documents evidencing communications with any and all other persons regarding the subject matter of this proceeding.