

Writer's E-Mail Address: bkeating@gunster.com

July 8, 2020

VIA E-PORTAL

Mr. Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

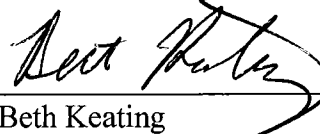
Re: Docket No. 20190156-EI - Petition for a limited proceeding to recover incremental storm restoration costs, capital costs, revenue reduction for permanently lost customers, and regulatory assets related to Hurricane Michael, by Florida Public Utilities Company.

Dear Mr. Teitzman:

Enclosed for electronic filing in the above-referenced docket, please find the Notice of Deposition Duces Tecum of OPC's witness Helmuth Schultz, which is being submitted on behalf of Florida Public Utilities Company.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions or concerns.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

Enclosure

cc:/ Service List

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a limited proceeding to recover incremental storm restoration costs, capital costs, revenue reduction for permanently lost customers, and regulatory assets related to Hurricane Michael, by Florida Public Utilities Company.

DOCKET NO. 20190156-EI

In re: Petition for establishment of regulatory assets for expenses not recovered during restoration for Hurricane Michael, by Florida Public Utilities Company.

DOCKET NO. 20190155-EI

In re: Petition for approval of 2019 depreciation study by Florida Public Utilities Company.

DOCKET NO. 20190174-EI

DATED: July 8, 2020

NOTICE OF DEPOSITION DUCES TECUM

To: Office of Public Counsel
Patricia Christensen, Esquire
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

NOTICE IS HEREBY GIVEN that Florida Public Utilities Company, pursuant to Florida Rule of Civil Procedure 1.310, will take the deposition of the following named individual at the date, locations, and times indicated below:

<u>Witness</u>	<u>Date/Time</u>	<u>Location/Number</u>
Helmuth Schultz III	Thursday, July 16, 2020 3:00 p.m. (EST)	Via Zoom Link (Link will be circulated to witness and counsel by Court Reporter prior to deposition)

The witness should bring copies of all the work papers or other materials used by the witness in the preparation of any testimony filed in this docket. This deposition is being taken for purposes of discovery, for use at trial, or for any other purposes allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact undersigned counsel at (850) 521-1706. If hearing impaired, please call 1-800-955-8771 (TDD) or 1-800-955-8770 (V) via Florida Relay Service for assistance.

The deponent shall bring copies of documents as set forth below to this deposition and shall provide a copy of same to undersigned counsel for Florida Public Utilities Company in advance of the deposition.

DEFINITIONS

1. "Document" shall mean and refer to written matter of any kind, regardless of its form, and to information recorded on any storage medium, whether in electrical, optical or electromagnetic form, and capable of reduction to writing by the use of computer hardware and software. As used herein, "Document" or "document" shall be given its broadest sense and shall mean all written or printed papers or other materials that contain or convey information, including, without limitation, all letters, reports, memoranda, laboratory data, records of telephone or other conversations, intra-office and interoffice communications, correspondence, electronic correspondence (e-mail), handwritten or typewritten notes, diaries, records of every kind, sound recordings, transcripts, contracts, agreements, books, financial statements, books of account, journals, ledgers, invoices, indices, data processing cards, other data processing materials, data sheets, computer

modeling input and output files, tapes, photographs, photostats, aerial maps, bulletins, circulars, notices, messages, tabulations, economic or statistical studies, instructions, requests, calendars, desk pads, appointment books, scrapbooks, notebooks, specifications, drawings, diagrams, sketches, and writings of every kind or character, including preliminary drafts and other copies of the foregoing, however produced or reproduced.

"Document" also includes information stored by a computer, whether stored on a CD/DVD, flash drive, cloud service, or in any other fashion or manner.

2. "FPSC" shall mean the Florida Public Service Commission.
3. "Related to" shall mean contain, discussed, described, addressed, referred to, or relied upon.
4. "Testimony" shall mean pre-filed testimony by the witness filed on behalf of and at the direction of the Office of Public Counsel in Docket No. 20190156-EI.

INSTRUCTIONS

5. Scope of Deposition Duces Tecum. In appearing for this Deposition Duces Tecum, produce all responsive documents, including any and all non-identical copies of each such document.
6. Privilege. If any Document is withheld on the basis of privilege or other similar such basis, as applicable, the following information regarding the withheld document:
 - a. Describe the type of document and general topic or subject matter;
 - b. Identify the author and addressee;
 - c. Identify the date the document was created;
 - d. State the specific basis of the privilege upon which the document has been withheld.

7. If any document responsive to any Request herein is no longer in your possession or control:
 - a. Identify the document;
 - b. Describe the nature of the disposition of the document; and
 - c. As applicable, identify the location of the document and in whose possession the document resides.
8. Documents requested herein include those in your possession and control, as well as the possession and control of your employees, agents, representatives, and attorneys.

DOCUMENTS REQUESTED

1. All documents or work papers related to, relied upon, or referred to in preparation of your pre-filed testimony in FPSC Docket No. 20190156-EI.
2. Workpapers or other documentation of the witness's calculation of the estimated interest of \$1,363,432 reflected at page 28 of Witness Schultz's direct testimony in this proceeding.

Please govern yourselves accordingly.

Respectfully submitted,



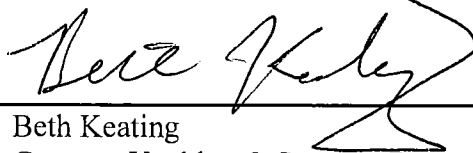
Beth Keating
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215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706
*Attorneys for Florida Public Utilities
Company*

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by Electronic Mail to the following parties of record this 8th day of July, 2020:

<p>Florida Public Utilities Company Mike Cassel 208 Wildlight Ave. Yulee, FL 32097 mcassel@fpuc.com</p>	<p>Ashley Weisenfeld Rachael Dziechciarz Bianca Lherisson Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 awaisenf@psc.state.fl.us rdziehc@psc.state.fl.us blheriss@psc.state.fl.us</p>
	<p>Office of Public Counsel* J.R. Kelly/Patricia Christensen/Mireille Fall-Fry c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Kelly.jr@leg.state.fl.us christensen.patty@leg.state.fl.us fall-fry.mireille@leg.state.fl.us</p>

By: _____



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