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PETITION OF ENTERGY GULF §  
STATES, INC. TO MODIFY SCHEDULE §  
LQF, TO MAKE CORRESPONDING §  
REVISIONS TO BILLINGS UNDER §  
SCHEDULE SMS, AND FOR §  
AUTHORIZATION TO IMPLEMENT §  
MODIFICATION ON AN INTERIM §  
BASIS §

PUBLIC UTILITY COMMISSION

OF TEXAS

**SRW COGENERATION L.P.'s NOTICE OR ORAL DEPOSITION OF  
JAMES M. SMITH**

To: Entergy Gulf States, Inc., by and through its attorney of record L. Richard Westerburg, Jr., Entergy Gulf States, Inc., 910 Congress Ave., Suite 710, Austin, TX 78701.

Please take notice that SRW Cogeneration L.P. will take the deposition of **MR. JAMES M. SMITH beginning at 9 a.m., Thursday, April 8, 2004.** The deposition will take place at the offices of ANDREWS KURTH, LLP, Waterway Plaza Two, 10001 Woodloch Forest Drive, Suite 200, The Woodlands, Texas 77380. The witness is required to bring to the deposition the documents and other items described in Exhibit "A," which is attached hereto and incorporated herein.

The deposition will be recorded stenographically before a certified court reporter. In the event the deposition is not completed on the day indicated, it will continue from day to day until completed.

Respectfully submitted,

CARROLL, GROSS, REEDER & DREWS LLP

Marianne Carroll

Marianne Carroll

State Bar No. 03888800

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by permission JK

ATTORNEYS FOR SRW COGENERATION, LP

## **EXHIBIT “A”**

1. The Witnesses’ current curriculum vitae.
2. Any documents reflecting procedures and/or guides that the Entergy EMO uses in determining its target levels for next day and current day non-firm power purchases it plans to accept for the Entergy System.
3. Any documents reflecting procedures and/or guides that the Entergy EMO uses in regard to requesting transmission service and/or delivery on the Entergy transmission system of accepted non-firm next day and current day power purchases for the Entergy System.
4. Any documents reflecting procedures and/or guides that the Entergy EMO uses in regard to scheduling and/or tagging its accepted non-firm next day and current day power purchases for the Entergy System.
5. Any documents reflecting procedures and/or guides that the Entergy EMO uses to determine whether to reject a non-firm next day or current day purchased power offer for the reason “Potentially Uneconomic – Fuel.”