

Matilda Sanders

From:	Elizabeth_Carrero@fpl.com
Sent:	Monday, May 09, 2005 2:51 PM
To:	Filings@psc.state.fl.us
Cc:	Natalie_Smith@fpl.com; Adrienne Vining; Martha Brown; tperry@mac-law.com; jimtait@comcast.net;
Subject:	richzambo@aol.com; jmcwhirter@mac-law.com Electronic Filing for Docket No. 040029-EG / Florida Power & Light Company's Notice of Withdrawal of Motion to Dismiss

Attachments: Notice of Withdrawal.5.9.05.doc

Notice of trawal.5.9.05 Electronic Filing

a. Person responsible for this electronic filing:

Natalie F. Smith, Attorney Florida Power & Light Company 700 Universe Blvd. Juno Beach, FL 33408 (561) 691-7207 natalie_smith@fpl.com

b. Docket No. 040029-EG

In re: Petition for approval of numeric conservation goals by Florida Power & Light Company

c. Document being filed on behalf of Florida Power & Light Company.

d. There are a total of 2 pages.

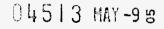
e. The document attached for electronic filing is FPL's Notice of Withdrawal of Motion to Dismiss

(See attached file: Notice of Withdrawal.5.9.05.doc)

Thank you for your attention and cooperation to this request.

Elizabeth Carrero, Legal Asst Wade Litchfield, Esq. and Natalie Smith, Esq. Phone: 561-691-7100 Fax: 561-691-7135 CMMail:elizabeth_carrero@fpl.com
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Petition for approval of numeric conservation goals by Florida Power & Light Company Docket No. 040029-EG

Filed: May 9, 2005

FLORIDA POWER & LIGHT COMPANY'S NOTICE OF WITHDRAWAL OF MOTION TO DISMISS

Florida Power & Light Company ("FPL") hereby files its Notice of Withdrawal of FPL's

Motion to Dismiss Compliance Data Services, Inc.'s partial Protest of the Florida Public Service

Commission's Approval of FPL's Demand Side Management Plan in Docket No. 040029-EG.

Respectfully submitted,

R. Wade Litchfield, Esq. Natalie F. Smith, Esq. Florida Power & Light Company 700 Universe Blvd. Juno Beach, Florida 33408 (561) 691-7207

By: <u>s/Natalie F. Smith</u> NATALIE F. SMITH

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of FPL's Notice was served by electronic mail (*) and by U.S. Mail this 9th day of May, 2005, to the following:

Adrienne Vining, Esquire * Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Executive Office of the Governor Office of Planning and Budget General Government Unit The Capitol, Rm. 1502 Tallahassee, FL 32399-0001

Florida Industrial Power Users Group * c/o McWhirter Law Firm John W. McWhirter 400 North Tampa Street, Suite 2450 Tampa, FL 33602

Calcs-Plus * Dennis J. Stroer/John F. Klongerbo c/o William J. Tait, Jr., Esq. 1061 Windwood Way Tallahassee, FL 32311 Department of Community Affairs 2555 Shumard Oak Boulevard Tallahassee, FL 32399-2100

Florida Industrial Cogeneration Assoc.(Zambo) * c/o Richard A. Zambo, P.A. 598 SW Hidden River Avenue Palm City, FL 34990

McWhirter Law Firm * Timothy J. Perry, Esq. 117 South Gadsden Street Tallahassee, FL 32301

By: s/Natalie F. Smith NATALIE F. SMITH