

Howard & Howard

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March 23, 2007

VIA ELECTRONIC FILING

Ms. Blanca S. Bayo
Director, Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re Docket No. 050891-EI Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

Dear Ms. Bayo:

Enclosed for filing in the above-referenced docket is Kmart's Notice of Withdrawal of Complaint.

Very truly yours,

HOWARD & HOWARD ATTORNEYS, P.C.

s/ Jeffrey M. Gray

Jeffrey M. Gray

cc: William Walker, Esquire
Garson Knapp, Esquire
Natalie Smith, Esquire
Lori Miller, Esquire
Jennifer Brubaker, Esquire

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

DOCKET NO. 050891-EI

FILED: MARCH 23, 2007

KMART'S NOTICE OF WITHDRAWAL OF COMPLAINT

Kmart Corporation ("Kmart") and Florida Power & Light ("FPL") have reached a confidential settlement. Therefore, Kmart withdraws its complaint in this proceeding, and the parties request that the docket be closed. Kmart respectfully asks that the Commission acknowledge this withdrawal.

s/ Jeffrey M. Gray

JEFFREY M. GRAY

RODGER A. KERSHNER

ATTORNEYS FOR KMART CORPORATION

Howard & Howard Attorneys PC

101 North Main Street, Suite 300

Ann Arbor, MI 48104-1475

(734) 222-6103

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Kmart Corporation against Florida Power & Light Company and motion to compel FPL to continue electric service and to cease and desist demands for deposit pending final decision regarding complaint.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of KMART'S NOTICE OF WITHDRAWAL OF COMPLAINT has been furnished to the following by U. S. Mail, this 23rd day of March 2007:

William Walker, Esquire
Florida Power & Light Company
215 South Monroe Street, Suite 810
Tallahassee, FL 32301-1859

Lori Miller, Esquire
Sears Management Holdings Corp.
3333 Beverly Road, B5-225B
Hoffman Estates, IL 60179

Garson Knapp, Esquire
Natalie Smith, Esquire
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Jennifer Brubaker, Esquire
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

s/ Jeffrey M. Gray
JEFFREY M. GRAY
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