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December 16, 2002

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COMMISSION
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Blanca Bayó
Director, Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

Re: City Gas Company of Florida -- Docket No. 021065-GU
Waiver of 90-Day Provision of Section 120.542(8), Florida Statutes

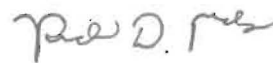
Dear Ms. Bayó:

On October 21, 2002, City Gas Company of Florida filed in this docket a "Petition for Approval of Tariff Modification and Rule Waivers to Implement Pilot Flat Rate Billing Program for NUI City Gas Company of Florida."

By this letter, City Gas hereby waives the provisions of Section 120.542(8), Florida Statutes, which state that an agency must grant or deny a petition for rule waiver within 90 days of the filing of a complete petition. This waiver is granted to enable the Commission to take final action on the petition for rule waiver at the same time as it takes final action on the related FRB tariff changes. City Gas, however, is not waiving the 8-month and 12-month provisions of Section 366.06(3), Florida Statutes.

If you have any questions regarding this waiver, please contact me at 425-2313.

Very truly yours,



Richard D. Melson
Attorney for City Gas Company of Florida

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