

**Ruth Nettles**

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**From:** DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]  
**Sent:** Thursday, November 29, 2007 4:01 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** nhorton@lawfla.com; Katherine Fleming; jenglish@fpuc.com; CHRISTENSEN.PATTY  
**Attachments:** Notice of Withdrawl OPC Motion to Compel 11-29.pdf

Electronic Filing

Patricia A. Christensen, Associate Public Counsel  
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c/o The Florida Legislature  
111 West Madison Street, Room 812  
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(850) 488-9330  
Christensen.patty@leg.state.fl.us

b. Docket No. 070304-EI

In Re: Petition for rate increase by Florida Public Utilities Company

c. Document being filed on behalf of Office of Public Counsel

d. There are a total of two pages.

e. The documents attached for electronic filing is Citizens Notice of Withdrawal Citizens Motion to Compel to Florida Public Utilities Company.

Phyllis W. Philip-Guide  
Secretary to Patricia A. Christensen, Associate Public Counsel.  
Office of Public Counsel  
Telephone: (850) 488-9330  
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**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Petition for Rate Increase by  
Florida Public Utilities Company

Docket No.: 070304-EI

Filed: November 29, 2007

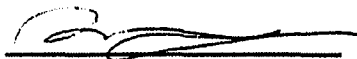
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**NOTICE OF WITHDRAWAL  
CITIZENS MOTION TO COMPEL**

The Citizens of the State of Florida (Citizens) hereby file their Notice of Withdrawal Citizens Motion to Compel requesting that the Prehearing Officer issue an order requiring Florida Public Utilities Company (FPUC) to produce all documents responsive to Citizens' Request for Production of Documents No. 47, 48, 49, 52, 53, 62, 63, 64, 65, and 66 filed on November 9, 2007. In its response filed November 16, 2007, Florida Public Utilities Company agreed to provide the Excel worksheets with the embedded formulas despite its original objections, thus resolving the dispute.

Respectfully Submitted,

JR Kelly  
Public Counsel



Patricia A. Christensen  
Associate Public Counsel  
Florida Bar No. 989789

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Attorneys for the Citizens  
Of the State of Florida

DOCUMENT NUMBER-DATE

10595 NOV 29 5

FPSC-COMMISSION CLERK

**DOCKET NO. 070304-EI**

**CERTIFICATE OF SERVICE**

**I, HEREBY CERTIFY** that a true and correct copy of the Office of Public Counsel Notice of Withdrawal Citizens Motion to Compel had been furnished by electronic mail and U.S. Mail on this 29<sup>th</sup> day of November, 2007, to the following:

Mr. John T. English  
Florida Public Utilities Company  
P.O. Box 3395  
West Palm Beach, FL 33402-3395

Norman H. Horton, Jr.  
P.O. Box 15579  
Tallahassee, FL 32317

Katherine Fleming  
Martha Brown  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850



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Patricia A. Christensen  
Associate Public Counsel