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NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Progress Energy Florida's petition for waiver of Rule 25-17.0832(4)(e)5, Florida Administrative Code, filed August 27, 2003, in Docket No. 030866-EQ, was approved by the Commission at its November 3, 2003 Agenda Conference. Order No. PSC-03-1329-PAA-EQ, issued November 21, 2003, memorialized the decision. The rule addresses the requirement that the open solicitation period for a utility's Standard Offer Contract must terminate prior to its issuance of a notice of Request for Proposal based on the standard offer contract's avoided unit. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on September 19, 2003. A copy of the Order can be obtained from either the Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

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