

Matilda Sanders

From: Gray, Jeffrey M. [jgray@HowardandHoward.com]
Sent: Friday, March 23, 2007 3:04 PM
To: Filings@psc.state.fl.us
Subject: Electronic Filing, Docket No. 050891-EI

ORIGINAL

Attachments: Kmart filing.pdf



Kmart
ng.pdf (401 K)

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B. 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.

C. Kmart Corporation

D. Three pages

E. Cover Letter, Kmart's Notice of Withdrawal of Complaint, and Certificate of Service

CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH K.P.

<<Kmart filing.pdf>>

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DOCUMENT NUMBER-DATE

02566 MAR 23 08

FPSC-COMMISSION CLERK

Howard & Howard
law for business

ORIGINAL

direct dial: 734.222.-6103

Jeffrey M. Gray

email: JGray@howardandhoward.com

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

DOCUMENT NUMBER-DATE

02566 MAR 23 8

ORIGINAL

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

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02566 MAR 23 5

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint of Kmart Corporation against
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DOCKET NO. 050891-EI

FILED: MARCH 23, 2007

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

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

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

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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