

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Gulf Power Company	)	DOCKET NO. 891259-EG
for authority to implement a Pilot	)	ORDER NO. 24164
Residential Energy Management Program.	)	ISSUED: 2/25/91
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The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 BETTY EASLEY  
 FRANK S. MESSERSMITH  
 MICHAEL McK. WILSON

ORDER CLOSING DOCKET

BY THE COMMISSION:

The pilot Transtext AEM program which is the subject of this docket was also part of Gulf Power Company's (Gulf) proposed conservation plan which we reviewed in Docket No. 900090-EG. After Gulf filed its Petition in this docket, we approved Gulf's conservation plan in Docket No. 900091-EG, and thereby authorized implementation of the pilot Transtext AEM program. (See, Order No. 23561, issued 10-2-90, made final by Order No. 23737, issued 11-8-90, Docket No. 900090-EG.)

On December 14, 1990, because of our action in Docket No. 900090-EG, Gulf filed a notice withdrawing its petition in this docket. Rules 25-22.035(3), Florida Administrative Code and 1.420(a)(1), Florida Rules of Civil Procedure, provide that a complainant may dismiss or withdraw his petition at any time before his case is submitted to the trier of fact, without approval of the court or administrative tribunal. For this reason, this docket should be closed.

DOCUMENT NUMBER-DATE

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It is, therefore

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission, this  
25th day of FEBRUARY, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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891259.bmi

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the

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First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.