

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Emergency Petition by) DOCKET NO. 981609-WS
D.R. Horton Custom Homes, Inc.)
to eliminate authority of)
Southlake Utilities, Inc. to)
collect service availability)
charges and AFPI charges in Lake)
County)


In re: Complaint by D.R. Horton)
Custom Homes, Inc. against) DOCKET NO. 980992-WS
Southlake Utilities, Inc. In)
Lake County regarding collection of) FILED: November 21st, 2001
Certain AFPI charges)

WITHDRAWAL OF COMPLAINT AND PETITION

D. R. Horton Custom Homes, Inc., ("Horton"), by and through its undersigned attorney, hereby withdraws its Complaint against Southlake Utilities, Inc. in Lake County regarding collection of certain AFPI charges filed in Docket No. 980992-WS and its Emergency Petition to eliminate authority of Southlake Utilities, Inc. to collect service availability charges and AFPI charges in Lake County filed in Docket No. 981609-WS. Such withdrawal is with prejudice except as to all issues in paragraph 10 of the Settlement Agreement dated May 7, 2001, by and between Horton and Southlake Utilities, Inc., which was approved and adopted by the Florida Public Service Commission in Order No. PSC-01-1297-PAA-WS.

Respectfully submitted this 21st day of November 2001.

ROSE, SUNDSTROM & BENTLEY, LLP

By: 
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DOCUMENT NUMBER-DATE

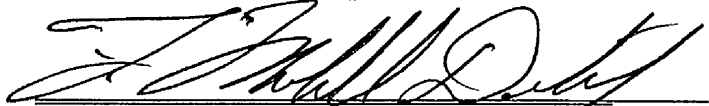
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Attorneys for D. R. Horton
Custom Homes, Inc.

FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and seven (7) copies of the Withdrawal of Complaint and Petition have been furnished by hand delivery, this 21st day of November 2001, to Blanca Bayo, Director, Department of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and a copy of the foregoing has been furnished to Rosanne Gervasi and Samantha Cibula, Division of Legal Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 by hand delivery, and a copy of the foregoing has been furnished to James L. Ade and Scott G. Schildberg, One Independent Drive, Suite 2000, Jacksonville, Florida 32202, by Federal Express overnight delivery this 21st day of November 2001.



Attorney