

ORIGINAL

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April 25, 2002

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**-VIA HAND DELIVERY-**

Ms. Blanca S. Bayó, Director  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

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02 APR 25 PM 1:55  
COMMISSION  
CLERK

**Re: Docket No. 010908-EI**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company is a copy and seven (7) additional copies of a letter dated April 24, 2002 to Harold McLean, Esq., responding to his April 5, 2002 letter, that proposes to dismiss the complaint in the above docket, together with a diskette containing the electronic version of same. The enclosed diskette is HD density, the operating system is Windows 2000, and the word processing software in which the document appears is Word 2000.

If there are any questions regarding this transmittal, please contact me at 305-577-2939.

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- OTH \_\_\_\_\_

Very truly yours,

*Elizabeth C Daley*

*for*

John T. Butler, P.A.

Enclosures

RECEIVED & FILED  
P.V.N  
DATE APR 25 2002

DOCUMENT NUMBER - DATE  
04575 APR 25 02  
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April 24, 2002

**John T. Butler, P.A.**  
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Harold McLean, Esq.  
General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 010908-EI**

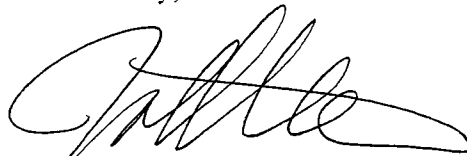
Dear Mr. McLean:

On behalf of Florida Power & Light Company ("FPL"), I am responding to your April 5, 2002, letter that proposes to dismiss the complaint in the above docket.

FPL concurs with Staff's proposed dismissal of the complaint. Your letter correctly points out that the transmission line in question is in compliance with the National Electric Safety Code, which the Commission enforces, and that the remaining concerns relate to issues about the line's location that are not within the Commission's jurisdiction. Under the circumstances, dismissal of the complaint is the appropriate course of action. Accordingly, FPL asks that Staff submit a recommendation for dismissal to be considered by the Commission at agenda conference, as contemplated in Rule 25-22.032(8), F.A.C.

Thank you for this opportunity to comment on Staff's proposal.

Sincerely,



John T. Butler, P.A.

cc: Blanca S. Bayó, Director, Commission Clerk and Administrative Services,  
All Parties of Record