## ORIGINAL

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June 5, 2002

Blanca S. Bayó, Director Division of Records and Reporting 2540 Shumard Oak Blvd. Tallahassee, Florida 32399-0870

> Re: Docket No.: 020233-El In Re: Review of GridFlorida Regional Transmission Organization Approval

Dear Ms. Bayó:

Enclosed please find the original and seven (7) copies of Publix Super Markets, Inc.'s Notice of Withdrawal as a Party dated June 5, 2002.

Sincerely,

Thomas A. Cloud, Esquire

GRAY, HARRIS & ROBINSON, P.A.

TAC:gcj Enclosure cc: All individuals on docketing service list

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## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In Re: Review of GridFlorida Regional Transmission Organization Approval. DOCKET NO. 020233-EI

Dated: June 5, 2002

## PUBLIX SUPER MARKETS, INC.'S NOTICE OF WITHDRAWAL AS A PARTY

Publix Super Markets, Inc. ("Publix"), by and through its undersigned counsel, hereby provide notice of its withdrawal as a party in this Docket No. 010233-El (the "RTO Docket"), effective as of the date of this Notice, and in support thereof states as follows:

- By Order No. PSC-01-2198-PCO-EI dated November 13, 2001, Publix's petition to intervene in Docket No. 000824-EI, In re: Review of Florida Power Corporation's earnings, including effects of proposed acquisition of Florida Power Corporation by Carolina Power & Light (the "FPC Docket") was granted by the Florida Public Service Commission (the "Commission").
- By Order No. PSC-01-2429-PCO-El dated December 12, 2001, Publix's petition to intervene in Docket No. 001148-El, In re: Review of the retail rates of Florida Power & Light Company (the "FPL Docket") was granted by the Commission.
- 3. The FPL Docket, FPC Docket and Docket No. 010577 (the "TECO Docket") had a combined first phase ("Phase I") dealing with the formation of a proposed regional transmission organization ("RTO"). At the conclusion of hearings on Phase I, the Commission determined that a separate docket should be established to address a revised proposal for the organization of a non-profit RTO ordered by the Commission to be filed by Florida Power Corporation, Florida Power & Light Company and Tampa Electric Company (the "GridFlorida Companies")<sub>BOCUMENT NEMPER-DATE</sub>

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- 4. On March 13, 2002, the Commission Office of General Counsel issued a Memorandum to all Parties of Record in the FPC Docket, the FPL Docket and the TECO Docket indicating that the RTO Docket had been established. The Memorandum stated further that all parties of record in the FPC Docket, the FPL Docket and the TECO Docket would automatically be made parties to the new RTO Docket.
- 5. As a party in both the FPC Docket and the FPL Docket, Publix was made a party to the RTO Docket.
- 6. Publix has not actively participated in the RTO Docket to date and does not currently anticipate doing so.

Publix therefore files this Notice of Withdrawal as a party in the RTO Docket and requests that no further testimony, pleadings, exhibits or other documents filed in this RTO Docket be provided to Publix.

Respectfully submitted by:

Thomas A. Cloud, Esquire W. Christopher Browder, Esquire Gray, Harris & Robinson, P.A. 301 East Pine Street, Suite 1400 Orlando, Florida 32801 Ph. (407) 843-8880 Fax: (407) 244-5690

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the following parties of record and interested parties, this 5th day of June, 2002:

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