

ORIGINAL

Steel Hector & Davis LLP  
215 South Monroe, Suite 601  
Tallahassee, Florida 32301-1804  
850.222.2300  
850.222.8410 Fax  
www.steelhector.com

Charles A. Guyton  
850.222.3423

September 26, 2002

**VIA HAND DELIVERY**

Blanca S. Bayó, Director  
Division of the Commission Clerk &  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

RECEIVED FPSC  
22 SEP 26 PM 4:58  
COMMISSION  
CLERK

**Re: Docket Nos. 020262-EI and 020263-EI**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are the original and seven (7) copies of FPL's Notice of Withdrawal of Motion to Compel Answers to Interrogatories and Production of Documents by Florida Partnership for Affordable Competitive Energy.

If there are any questions regarding this transmittal, please contact me at 222-2300.

Very truly yours,

*for* *EC Daley*  
Charles A. Guyton

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM 5  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC 1  
OTH \_\_\_\_\_  
CAG:gc  
Enclosure  
Copy to: Counsel for All Parties of Record  
TAL\_1998 43735v1

RECEIVED & FILED

*RM*  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

10350 SEP 26 02

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition to Determine Need for )  
an Electrical Power Plant in Martin County ) Docket No. 020262  
by Florida Power & Light Company )  
\_\_\_\_\_) )  
In re: Petition to Determine Need for ) Docket No. 020263-EI  
an Electrical Power Plant in Manatee County )  
by Florida Power & Light Company ) Dated: September 26, 2002

**FLORIDA POWER & LIGHT COMPANY'S NOTICE  
OF WITHDRAWAL OF MOTION TO COMPEL ANSWERS  
TO INTERROGATORIES AND PRODUCTION OF DOCUMENTS  
BY FLORIDA PARTNERSHIP FOR AFFORDABLE COMPETITIVE ENERGY**

PLEASE TAKE NOTE THAT Florida Power & Light Company ("FPL"), hereby  
withdraws its Motion To Compel Answers To Interrogatories And Production Of Documents By  
Florida Partnership For Affordable Competitive Energy ("PACE"), which FPL filed on  
September 17, 2002.

Respectfully submitted,

R. Wade Litchfield, Esq.  
Senior Attorney  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408-0420  
Telephone: 561.691.7101

STEEL HECTOR & DAVIS LLP  
215 South Monroe Street  
Suite 601  
Tallahassee, FL 32301-1804  
Telephone: 850.222.2300  
Facsimile: 8500.222.8410

By: EC Daley  
Charles A. Guffon  
Florida Bar No. 398039  
Elizabeth C. Daley  
Florida Bar No. 0104507

Attorneys for Florida Power & Light Company

**CERTIFICATE OF SERVICE**  
**Docket Nos. 020262-EI and 020263-EI**

I HEREBY CERTIFY that on this 26th day of September 2002, a copy of FPL's Notice Of Withdrawal Of Motion To Compel Answers To Interrogatories And Production Of Documents By Florida Partnership For Affordable Competitive Energy was served by hand delivery (\*) or electronically (\*\*) and U.S. Mail to the following:

Martha Carter Brown, Esq.\*  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
mbrown@psc.state.fl.us

D. Bruce May, Jr., Esq.\*\*  
Karen D. Walker  
Holland & Knight LLP  
315 S Calhoun Street, Ste. 600  
Tallahassee, Florida 32301  
dbmay@hkllaw.com

John W. McWhirter\*\*  
McWhirter Reeves, McGlothlin,  
Davidson, Decker, Kaufman, & Arnold, P.A.  
400 North Tampa Street, Suite 3350  
Tampa, Florida 33602  
jmcwhirter@mac-law.com

R. L. Wolfinger  
South Pond Energy Park, LLC  
c/o Constellation Power Source  
111 Market Place, Suite 500  
Baltimore, MD 21202-7110

Vicki Gordon Kaufman\*\*  
Timothy J. Perry  
McWhirter Reeves, McGlothlin,  
Davidson, Decker, Kaufman, & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301  
vkaufman@mac-law.com

Michael B. Twomey, Esq.\*\*  
P.O. Box 5256  
Tallahassee, Florida 32314-5256  
miketwomey@talstar.com

Jon C. Moyle, Jr., Esq.\*\*  
Cathy M. Sellers, Esq.  
Moyle Flanigan Katz Raymond &  
Sheehan, P.A.  
118 North Gadsden Street  
Tallahassee, Florida 32301  
jmoylejr@moylelaw.com

Ernie Bach, Executive Director\*\*  
Florida Action Coalition Team  
P.O. Box 100  
Largo, Florida 33779-0100  
ernieb@gte.net

Joseph A. McGlothlin, Esq. \*  
McWhirter, Reeves, McGlothlin, Davidson  
Decker, Kaufman & Arnold, P.A.  
117 South Gadsden Street  
Tallahassee, Florida 32301  
jmcglothlin@mac-law.com

Michael Green\*\*  
1049 Edmiston Place  
Longwood, Florida 32779  
mgreenconsulting@earthlink.net

By:   
Elizabeth C. Daley