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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

04 MAY -7 PM 2:01

In Re: Review of Tampa Electric)
 Company's 2004-2008 Waterborne) DOCKET NO. 031033-EI
 Transportation Contract with TECO) COMMISSION
 Transport and Associated Benchmark) FILED: May 7, 2004 CLERK

**CSX TRANSPORTATION'S NOTICE OF WITHDRAWAL OF
 CSX TRANSPORTATION'S REQUESTS FOR
 PRODUCTION OF DOCUMENTS (NOS. 38 AND 39)
 TO TAMPA ELECTRIC COMPANY**

On May 4, 2004, CSX Transportation ("CSXT"), propounded requests to produce Nos. 38 and 39 to Tampa Electric Company ("TECO") as part of CSXT's Ninth Request for Production of Documents (Nos. 37-39). Pursuant to an agreement between CSXT's counsel and TECO's counsel, CSXT hereby withdraws its requests to produce Nos. 38 and 39.

Respectfully submitted this 7th day of May, 2004.

LANDERS & PARSONS



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Counsel for CSX Transportation

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC |
- OTH _____

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 FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that the original and one copy of the foregoing has been filed with the Clerk's Office, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 and that a true and correct copy of the foregoing has been served by U.S. Mail or hand delivery (*) this 7th day of May, 2004, on the following:

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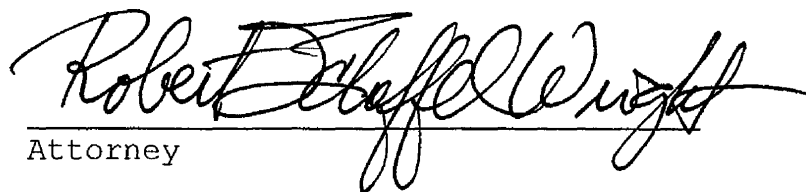
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