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October 29, 2004

VIA HAND DELIVERY

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

RECEIVED-FPSC
OCT 29 AM 11:45
COMMISSION
CLERK

Re: Docket No. 030623-EI

Dear Ms. Bayó:

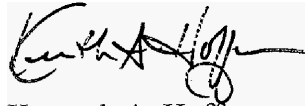
Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and fifteen copies of FPL's Notice of Withdrawal of its Motion to Dismiss Customers' Petition for Variance or Waiver of Rule 25-6.103(3).

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me. Please contact me if you have questions regarding this filing.

CMP _____
COM 3
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____ KAH/knb
Enclosures
RCA _____
SCR _____
SEC 1
OTH Kim P.

Thank you for your assistance with this filing.

Sincerely,



Kenneth A. Hoffman

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
11703 OCT 29 04
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Complaints by Southeastern Utility Services,
Inc. on behalf of various customers, against)
Florida Power & Light Company concerning)
thermal demand meter error)
_____)

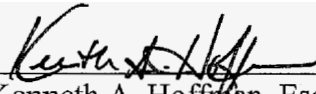
Docket No. 030623-EI

Filed: October 29, 2004

**FLORIDA POWER & LIGHT COMPANY'S NOTICE
OF WITHDRAWAL OF MOTION TO DISMISS CUSTOMERS'
PETITION FOR VARIANCE OR WAIVER OF RULE 25-6.103(3)**

Florida Power and Light Company ("FPL"), by and through its undersigned counsel, hereby withdraws its Motion to Dismiss Customers' Petition for Variance or Waiver of Rule 25-6.103(3), Florida Administrative Code, filed in the above-referenced docket on September 13, 2004.

Respectfully submitted,



Kenneth A. Hoffman, Esquire
J. Stephen Menton, Esquire
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, Florida 32302
Telephone: 850/681-6788

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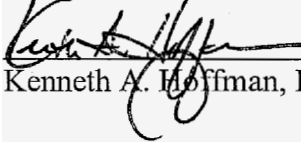
Natalie Smith, Esquire
Law Department
Florida Power & Light Company
700 Universe Blvd.
Juno Beach, Florida 33408-0420
Attorneys for Florida Power & Light
Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Florida Power & Light Company's Notice of Withdrawal of its Motion to Dismiss Customers' Petition for Variance or Waiver of Rule 25-6.103(3) has been furnished by Hand Delivery this 29th day of October, 2004 to the following:

Cochran Keating, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Room 370
Tallahassee, Florida 32399-0850

Jon C. Moyle, Jr., Esquire
William Hollimon, Esquire
Moyle, Flanigan, Katz, Raymond & Sheehan, P.A.
The Perkins House
118 North Gadsden Street
Tallahassee, Florida 32301


Kenneth A. Hoffman, Esquire

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