

Matilda Sanders

**From:** Elizabeth\_Carrero@fpl.com  
**Sent:** Monday, May 09, 2005 2:51 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Natalie\_Smith@fpl.com; Adrienne Vining; Martha Brown; terry@mac-law.com; jimtait@comcast.net; richzambo@aol.com; jmcwhirter@mac-law.com  
**Subject:** Electronic Filing for Docket No. 040029-EG / Florida Power & Light Company's Notice of Withdrawal of Motion to Dismiss

**Attachments:** Notice of Withdrawal.5.9.05.doc



Notice of  
Withdrawal.5.9.05

Electronic Filing

a. Person responsible for this electronic filing:

Natalie F. Smith, Attorney  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, FL 33408  
(561) 691-7207  
natalie\_smith@fpl.com

b. Docket No. 040029-EG

In re: Petition for approval of numeric conservation goals by Florida Power & Light Company

c. Document being filed on behalf of Florida Power & Light Company.

d. There are a total of 2 pages.

e. The document attached for electronic filing is FPL's Notice of Withdrawal of Motion to Dismiss

(See attached file: Notice of Withdrawal.5.9.05.doc)

Thank you for your attention and cooperation to this request.

Elizabeth Carrero, Legal Asst  
Wade Litchfield, Esq. and Natalie Smith, Esq.  
Phone: 561-691-7100  
Fax: 561-691-7135  
Email: ~~\_\_\_\_\_~~ elizabeth\_carrero@fpl.com

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FDCC-COMMISSION CLERK

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of )  
numeric conservation goals )  
by Florida Power & Light Company )  
\_\_\_\_\_ )

Docket No. 040029-EG

Filed: May 9, 2005

**FLORIDA POWER & LIGHT COMPANY'S  
NOTICE OF WITHDRAWAL OF MOTION TO DISMISS**

Florida Power & Light Company ("FPL") hereby files its Notice of Withdrawal of FPL's Motion to Dismiss Compliance Data Services, Inc.'s partial Protest of the Florida Public Service Commission's Approval of FPL's Demand Side Management Plan in Docket No. 040029-EG.

Respectfully submitted,

R. Wade Litchfield, Esq.  
Natalie F. Smith, Esq.  
Florida Power & Light Company  
700 Universe Blvd.  
Juno Beach, Florida 33408  
(561) 691-7207

By: s/Natalie F. Smith  
NATALIE F. SMITH

DOCUMENT NUMBER-DATE  
04513 MAY-9 2005

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of FPL's Notice was served by electronic mail (\*) and by U.S. Mail this 9<sup>th</sup> day of May, 2005, to the following:

Adrienne Vining, Esquire \*  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Executive Office of the Governor  
Office of Planning and Budget  
General Government Unit  
The Capitol, Rm. 1502  
Tallahassee, FL 32399-0001

Florida Industrial Cogeneration  
Assoc.(Zambo) \*  
c/o Richard A. Zambo, P.A.  
598 SW Hidden River Avenue  
Palm City, FL 34990

Florida Industrial Power Users Group \*  
c/o McWhirter Law Firm  
John W. McWhirter  
400 North Tampa Street, Suite 2450  
Tampa, FL 33602

McWhirter Law Firm \*  
Timothy J. Perry, Esq.  
117 South Gadsden Street  
Tallahassee, FL 32301

Calcs-Plus \*  
Dennis J. Stroer/John F. Klongerbo  
c/o William J. Tait, Jr., Esq.  
1061 Windwood Way  
Tallahassee, FL 32311

By: s/Natalie F. Smith  
NATALIE F. SMITH