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October 14, 2005

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Commission Clerk and Administrative Services
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket No. 050317-EI

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Public Utilities Company are an original and 15 copies of Florida Public Utilities Company's Notice of Withdrawal in the above captioned docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely yours,



Norman H. Horton, Jr.

NHH/amb
Enclosures

cc: Adrienne Vining, Esq.
Patricia Christensen, Esq.
Ms. Cheryl Martin

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Petition for approval of application of)	
temporary fuel clause additive charge to)	Docket No. 050317-EI
mitigate effects of new fuel contracts)	Filed: October 14, 2005
effective January 1, 2008, by Florida)	
Public Utilities Company)	
_____)	

NOTICE OF WITHDRAWAL

COMES NOW, Florida Public Utilities Company ("FPUC"), by undersigned counsel and files this Notice of Withdrawal and states.

1. On May 6, 2005 FPUC filed its Petition and supporting testimony and exhibits in this docket. On September 9, 2005, FPUC filed its testimony and exhibits in Docket No. 050001-EI and incorporated therein the request made separately in this docket. Although there has been no formal action in this docket, the Company has been advised that the earliest hearing dates available are in February which means that the plan proposed by FPUC, if approved, would not be implemented until the second quarter of 2006.

2. The proposal which FPUC has presented to the Commission for review and consideration is one which has merit and benefits for customers, but these benefits diminish as the contract termination dates draw near. The proposal presented by FPUC contemplates a collection of an addition to the fuel adjustment factor for a period of two years, but it appears that the current time for resolution would allow at best an 18 month collection period. That period of time would not provide sufficient economic value to the customers to warrant implementation of the additional fuel

factor adjustment. Moreover, the timing of hearings and consideration of the proposal imposes additional time and economic demands on FPUC and its resources.

3. As a result of the proposed schedule, FPUC would withdraw its petition in Docket No. 050317-EI, but continues to make the request for approval of the proposal in Docket No. 050001-EI. The Commission has sufficient information and support before it in that dockets as well as scheduled hearings, to proceed to consider the request as presented by FPUC.

DATED this 14th day of October, 2005.

Respectfully submitted,



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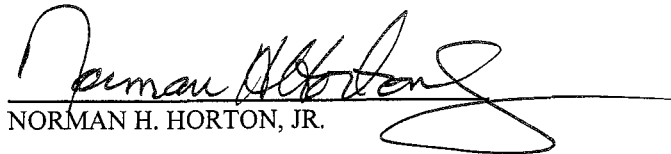
Attorneys for Florida Public Utilities Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been served by U. S. Mail this 14th day of October, 2005 upon the following:

Adrienne Vining, Esq.
Division of Legal Services
Florida Public Service Commission
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Office of the Public Counsel
c/o The Florida Legislature
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NORMAN H. HORTON, JR.