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Sent: Monday, February 18, 2008 3:06 PM
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Subject: SWA Notice of Withdrawal as Formal Party - Docket 070234 - FPL
Attachments: 021808 SWA Notice of Withdrawal FPL - Filed.doc

1. Attorney responsible for this electronic filing:

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2. Docket numbers and titles in which filing is submitted:

DOCKET NO. 070234-EQ In re: Petition for approval of renewable energy standard offer contract by Florida Power & Light Company

3. Party on whose behalf this filing is submitted:

The Solid Waste Authority of Palm Beach County, Florida

4. Total number of pages in filing:

Two (3) pages

5. Document attached:

Notice of Withdrawal As a Formal Party

If you have any questions or require anything further in this regard, please do not hesitate to let us know immediately.

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01267 FEB 18 08

FPSC-COMMISSION CLERK

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of renewable
Energy standard offer contract, by Florida
Power & Light Company

Docket No. 070234-EQ

Filed: February 18, 2008

Notice of Withdrawal as a Formal Party
By
The Solid Waste Authority of Palm Beach County, Florida

The Solid Waste Authority Of Palm Beach County (the "SWA"), by and through its undersigned attorney for the reasons stated below, submits its Notice of Withdrawal As a Formal Party to the captioned proceeding and, does hereby withdraw and relinquish its status as a formal party thereto.

1. Hearings in this Docket are scheduled for April 10 and 11, 2008. Parties' briefs are due May 9, 2008 and a final Commission decision is likely to be rendered in June or July.
2. Pursuant to Rules 25-17.0832 and 25-17.200 through 25-17.310, F.A.C., Florida Power & Light Company (FPL) (and other electric utilities) will be required to file with the Commission a new successor Renewable Energy Standard Offer Contract ("Standard Offer") on April 1, 2008 – just days prior to the scheduled hearing on the current Standard Offer.
3. The successor Standard Offer to be filed on April 1st will supersede the Standard Offer subject to dispute in the captioned proceeding which, by virtue of FPL's required filing and operation of the Commission's rules, will become moot. Likewise, the issues raised by the parties in the instant proceeding will also be moot and the SWA, along with other parties, would be engaged in meaningless litigation over a Standard Offer that will have previously lapsed.

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4. Litigating issues arising out of a Standard Offer that will be superseded before litigation can be completed or a Commission decision rendered is an unnecessary but avoidable waste of time, money and other resources for all concerned. It is evident that administrative efficiency would not be served, nor would an efficient use of Commission, utility and intervener resources be obtained, by further litigating a soon-to-lapse Standard Offer.

5. Moreover, the recently filed Motion to Hold Docket in Abeyance by Wheelabrator (to which the SWA does not object and would support) raises the possibility that further efforts by the SWA from this point - including filing of direct testimony and proceeding with discovery requests and responses – would be unproductive at best and prejudicial at worst.

6. For these reasons, as well as others, the SWA has chosen to withdraw its protest of the current Standard Offer and to relinquish its status as a party to the captioned proceeding in which the current Standard Offer will be litigated.

7. The SWA continues to reserve, and at this juncture fully expects to exercise, its right to protest any new Standard Offer or Standard Offers to be filed on or about April 1, 2008.

RESPECTFULLY submitted on this 18th day of February, 2008.

/s/ *Richard A. Zambo*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice has been submitted by email, hand delivery, and/or U.S. mail on this 18th day of February, 2008 to the following:

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