

## Ruth Nettles

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**From:** Butler, John [John.Butler@fpl.com]  
**Sent:** Tuesday, September 30, 2008 4:49 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** 'miketwomey@talstar.com'; 'jbeasley@ausley.com'; 'lwillis@ausley.com'; 'jas@beggslane.com'; 'rab@beggslane.com'; 'srg@beggslane.com'; 'jbrew@bbrslaw.com'; 'jmcwhirter@mac-law.com'; 'sdriteno@southernco.com'; 'nhorton@lawfla.com'; 'Cecelia\_bradley@oag.state.fl.us'; 'Kelly.jr@leg.state.fl.us'; 'burgess.state@leg.state.fl.us'; Charles Beck; 'paul.lewisjr@pgnmail.com'; 'john.burnett@pgnmail.com'; 'Regdept@tecoenergy.com'; Lisa Bennett; Keino Young; Jean Hartman; 'swright@yvlaw.net'; 'jlavia@yvlaw.net'; 'cherylmartin@fpuc.com'  
**Subject:** Dkt #080001-EI - FPL Letter Withdrawing Request for Official Notice of Petitions for Rehearing  
**Attachments:** Letter to Cole (Notice - CAIR rehearing withdrawal).doc; Letter to Cole (Notice - CAIR rehearing withdrawal).pdf

### Electronic Filing

a. Person responsible for this electronic filing:

John T. Butler, Esq.  
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b. Docket No. 0800001 - EI

In Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor

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

d. There is a total of 1 page

e. The document attached for electronic filing is Florida Power & Light Company's 09/30/08 letter to Ann Cole withdrawing FPL's Request for Official Notice of Petitions for Rehearing of D.C. Circuit Opinion Vacating CAIR and advising that the notice will be refiled in Docket No. 080007-EI.

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DOCUMENT NUMBER-DATE

09240 SEP 30 08

9/30/2008

FPSC-COMMISSION CLERK

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September 30, 2008

**-VIA ELECTRONIC FILING -**

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Docket No. 080001-EI**

Dear Ms. Cole:

It has come to my attention that Florida Power & Light Company's Request for Official Notice of Petitions for Rehearing of D.C. Circuit Opinion Vacating CAIR (Document No. 09086-08), was inadvertently filed in the above docket rather than in Docket No. 080007-EI. FPL will refile its request for official notice in Docket No. 080007-EI and hereby withdraws its request from this docket.

If there are any questions regarding this transmittal, please contact me at 561-304-5639.

Sincerely,

*s/John T. Butler*  
John T. Butler

cc: Counsel for parties of record

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