

REQUEST FOR CHANGE TO COMMISSION CONFERENCE
HAND DELIVER

RECEIVED-FPSC

Date of Request: 4/25/2011

Date of Commission Conference: 4/26/2011

Item No. 10

11 APR 25 PM 2:52

Docket No.: 100304-EU

Brief Title: Territorial Dispute between CHELCO and Gulf Power

Requested by: Staff Other

(Name) COMMISSION CLERK

Please attach a copy of the written documentation filed (IF OTHER)

STAFF's Recommendation to Executive Suite (IF OTHER) Approve Request Deny Request

ACTION REQUESTED [see APM 2.11]

- Defer Item to Conference Scheduled for: _____ Date: _____
- Change Order of Item or Take Up at Time Certain
- Withdraw Item (not expected to return to Agenda)
- Late Filed Recommendation (must be filed no later than 3:00 p.m. on the date approved for late filing) A copy of the front page of the recommendation must be provided to the Commission Clerk by 12 noon on the regular filing date for use as a place-holder during agenda preparation.
- Add Item to Published Agenda [see Section 120.525(2), F.S.] – Issue an ADDENDUM and give Legal NOTICE
- Add Emergency Item to Published Agenda [see Section 120.525 (3), F.S.] – Issue an ADDENDUM and Give Fair NOTICE

Concise explanation, justification or comments (attach additional sheet if necessary):

Gulf Power Company has filed a Notice of Withdrawal of Motion for Summary Final Order without prejudice to refile at the beginning of the hearing scheduled to begin on May 17, 2011. Therefore, Staff requests that this item be withdrawn, and it does not appear that it will be refiled for consideration at a subsequent agenda.

Signature (Technical Staff): *Patte Daniel*

Initials (Division/Office Director or Designee): *MDW*

Signature (Legal Staff): *Ralph R. Hayes*

Initials (General Counsel or Designee): *MRH*

EXECUTIVE DIRECTOR:

Recommendation to the Chairman's Office

Initials: *RD*

Comments:

Approve Request Deny Request
Date: *4-25-11*

CHAIRMAN'S OFFICE:

Initials:

Approve Request Deny Request
Date: *4/25/11*

The Executive Suite will forward the original approved form to the Office of Commission Clerk and distribute copies to the OPR division/office director, the Executive Director, the Deputy Executive Director, the General Counsel, the Deputy General Counsel, the Office of Public Information Director, the Commissioners' Assistants, and the attorney assigned to the docket.

DOCUMENT NUMBER-DATE

CLK AGENDA 02808 APR 25 =
STAFF COPIED

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

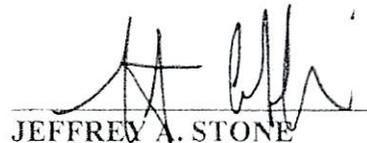
In re: Territorial Dispute Between)
Choctawhatchee Electric Cooperative, Inc.)
and Gulf Power Company)
_____)

Docket No. 100304-EU
Date: April 25, 2011

**NOTICE OF WITHDRAWAL OF
MOTION FOR SUMMARY FINAL ORDER**

Gulf Power Company (“Gulf Power”, “Gulf” or “the Company”), by and through its undersigned counsel, hereby provides notice that is has withdrawn its Motion for Summary Final Order dated February 11, 2011. The Company respectfully requests that the withdrawn motion be removed from the agenda for consideration at the Commission’s April 26, 2011, Commission Conference. Although Gulf Power has withdrawn its motion, the Company reserves its right to re-file another Motion for Summary Final Order following the close of discovery in this proceeding. Gulf has conferred with counsel for CHELCO and CHELCO has no objection to this notice.

Respectfully submitted this 25th day of April, 2011.



JEFFREY A. STONE

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Attorneys for Gulf Power Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Territorial Dispute Between)
Choctawhatchee Electric Cooperative, Inc.)
and Gulf Power Company)
_____)

Docket No. 100304-EU

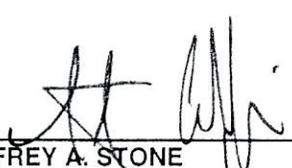
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by electronic mail this 25th day of April, 2011, on the following:

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