

**Diamond Williams**

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**From:** Keating, Beth [BKeating@gunster.com]  
**Sent:** Thursday, August 04, 2011 11:27 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Schef Wright; 'fbondurant@embarqmail.com'; christensen.patty@leg.state.fl.us; Geoffroy, Tom; 'probinso@psc.state.fl.us'  
**Subject:** Docket No. 110041-EI  
**Attachments:** 20110804110506366.pdf

Attached for electronic filing, please find Florida Public Utilities Company's Notice of Voluntary Withdrawal of its Request for Attorney's Fees contained in Section IV of its Motion to Dismiss the Petition of the City of Marianna, Florida Protesting Proposed Agency Action Order No. PSC-11-0269-PAA-EI. Please do not hesitate to contact me if you have any questions.

Beth Keating  
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a. Person responsible for this electronic filing:

Beth Keating  
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b. Docket No. 110041-EI – Petition for Approval of Amendment No. 1 to Generation Services Agreement with Gulf Power Company, by Florida Public Utilities Company.

c. On behalf of: Florida Public Utilities Company

d. Total Number of Pages: 3

e. Description: Notice of Voluntary Withdrawal of Request for Attorney's Fees



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Writer's Direct Dial Number: (850) 521-1706  
Writer's E-Mail Address: bkeating@gunster.com

August 4, 2011

**VIA ELECTRONIC FILING - FILINGS@PSC.STATE.FL.US**

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

**Re: DOCKET NO. 110041-EI - Petition for Approval of Amendment No. 1 to  
Generation Services Agreement with Gulf Power Company, by Florida Public  
Utilities Company.**

Dear Ms. Cole:

Attached for electronic filing, please find Florida Public Utilities Company's Notice of Voluntary Withdrawal of its Request for Attorney's Fees (Section IV) of its Motion to Dismiss the Petition Protesting Proposed Agency Action Order No. PSC-11-0269-PAA-EI and Request for Formal Proceeding filed by the City of Marianna, Florida ("City") in this proceeding.

Thank you for your assistance with this filing. As always, please do not hesitate to contact me if you have any questions.

Sincerely,

Beth Keating  
Gunster, Yoakley & Stewart, P.A.  
215 South Monroe St., Suite 601  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for Approval of Amendment No. 1 to  
Generation Services Agreement with Gulf Power  
Company, by Florida Public Utilities Company.

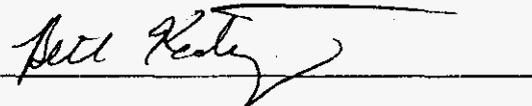
) DOCKET NO. 110041-EI  
) Filed: August 4, 2011  
)  
)

**FLORIDA PUBLIC UTILITIES COMPANY'S**  
**NOTICE OF VOLUNTARY WITHDRAWAL OF REQUEST FOR**  
**ATTORNEY'S FEES AND SANCTIONS**

Florida Public Utilities Company ("FPUC" or "Company"), by and through its undersigned attorney, hereby submits notice of its voluntary withdrawal of the Company's request for attorney's fees, which is set forth in Section IV, and also referenced in Section V, of its Motion to Dismiss filed on July 28, 2011, in this Docket. Florida Public Utilities Company also hereby provides notice of its intent to submit an amended and updated request for attorney's fees at a later date, as may be necessary. In withdrawing this specific request, FPUC emphasizes that it does not intend to withdraw any other request as it relates to the Motion to Dismiss itself.

Respectfully submitted, this 4th day of August, 2011.

By:



Beth Keating  
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215 South Monroe St., Suite 618  
Tallahassee, FL 32301  
(850) 521-1706  
*Attorneys for Florida Public Utilities Company*

**CERTIFICATE OF SERVICE**

I HEREBY ATTEST that a true and correct copy of the foregoing has been served upon the following by Electronic Mail(\*) and/or U.S. Mail this 4th day of August, 2011:

Pauline Robinson, Staff Counsel* Office of the General Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850	Robert Scheffel Wright * John T. LaVia c/o Young Law Firm 225 South Adams Street, Suite 200 Tallahassee, FL 32301
Frank E. Bondurant, City Attorney* Bondurant and Fuqua, P.A. 4450 Lafayette St. P.O. Box 1508 Marianna, FL 32447	Office of the Public Counsel* c/o The Florida Legislature 111 West Madison St., Rm. 812 Tallahassee, FL 32399-1400



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