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January 27, 1999

**D. BRUCE MAY, JR.**  
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## VIA HAND DELIVERY

Blanca S. Bayo  
Director, Division of Records & Reporting  
Florida Public Service Commission  
Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Complaint and petition by Lee County Electric  
Cooperative Inc. for an investigation of the rate structure  
of Seminole Electric Cooperative, Inc. -  
Docket No. 981827-EC

Dear Ms. Bayo:

Lee County Electric Cooperative ("Cooperative") has reviewed staff's recommendation that the Commission hear oral argument on Seminole's Motion to Dismiss. Although the Cooperative initially believed that oral argument may impose unnecessary costs and delay on the parties; it is sensitive to staff's view that oral argument would assist the Commission in evaluating this case of first impression and understanding the import of the U.S. Supreme Court's decision in Public Service Commission v. Arkansas Electric Cooperative Corp., 461 U.S. 375 (1983). Therefore, the Cooperative hereby withdraws its response opposing the request for oral argument. This withdrawal should allow staff's recommendation to be placed on the Consent Agenda and expedite the Commission's consideration of other items

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMC \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG   /
- LEG   /
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Ms. Blanca Bayo  
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at its February 2, 1999, Agenda Conference.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May

DBM:kjg

cc: Richard D. Melson, Esq.  
Mr. William Talbott  
Kathleen Lake, Esq.  
John Noland, Esq.  
Mr. Frank L. Wilkerson

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