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October 12, 1999

BY HAND DELIVERY

Blanca L. Bayó
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399

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OCT 12 PM 3:37
RECORDS AND REPORTING

Re: Certificate Application of Nocatee Utility Corporation
Docket No. 990696-WS

Dear Ms. Bayó:

Enclosed for filing on behalf of Nocatee Utility Corporation are the original and fifteen copies of Nocatee's Notice of Withdrawal of Motion To Dismiss Intercoastal's Objection.

By copy of this letter, this document has been furnished to the parties on the service list. If you have any questions regarding this filing, please call.

Very truly yours,

Richard D. Melson

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____ RDM/mee
LEG 1
MAS 2 Enclosures
OPC _____ cc: Mr. O'Steen
PAI _____ Ms. Pappas
SEC _____
WAW Richard Melson
OTH _____

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for original)	
certificates to operate water)	
and wastewater utility in Duval)	Docket No. 990696-WS
and St. Johns Counties by)	
Nocatee Utility Corporation)	Filed: October 12, 1999
_____)	

NOCATEE'S NOTICE OF WITHDRAWAL OF MOTION TO DISMISS INTERCOASTAL'S OBJECTION

Nocatee Utility Corporation ("NUC") hereby withdraws its Motion to Dismiss Intercoastal's Objection and to Grant Nocatee's Certificate Application Without Hearing.

This withdrawal is filed in light of Intercoastal's intentions stated in its Response to the Motion to Dismiss, and reconfirmed today by counsel for Intercoastal, to: (1) appeal the order of the Board of County Commissioners of St. Johns County denying its application to serve the St. Johns County portion of the territory at issue in this case, and (2) file an application with the Commission for a multi-county certificate to serve the territory covered by Nocatee's application.

This withdrawal is without prejudice to Nocatee's right to file a subsequent motion to dismiss if warranted by changed circumstances.

RESPECTFULLY SUBMITTED this 12th day of October, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By: Richard D. Melson
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Attorneys for Nocatee Utility
Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was served by
Hand Delivery this 12th day of October, 1999, on the following:

Samantha Cibula
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Florida Public Service Commission
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