

Ruth Nettles

From: Rhonda Dulgar [rdulgar@yvlaw.net]
Sent: Tuesday, June 02, 2009 12:07 PM
To: John T. Butler; Ken Rubin; Ken Hoffman; R. Wade Litchfield; Mariene Stern; Erik Sayler; Filings@psc.state.fl.us; Ralph Jaeger; Schef Wright
Subject: Electronic Filing - Docket 080244-EI
Attachments: 080244.MUUC.NoticeOfWithdrawalOfProtest.6-2-09.pdf

a. Person responsible for this electronic filing:

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b. 080244-EI

In Re: Petition for Approval of Underground Conversion Tariff Revisions by Florida Power & Light Company.

c. Document being filed on behalf of the Municipal Underground Utilities Consortium and the City of Coconut Creek.

d. There are a total of 3 pages.

e. The document attached for electronic filing is The Municipal Underground Utilities Consortium's Notice of Withdrawal of Protest.

(see attached file: 080244.MUUC.NoticeofWithdrawalOfProtest.6-2-09.pdf)

Thank you for your attention and assistance in this matter.

Rhonda Dulgar
Secretary to Schef Wright
Phone: 850-222-7206
FAX: 850-561-6834

6/2/2009

DOCUMENT NUMBER-DATE
05467 JUN-2 8
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Approval of 2007)
Revisions to Underground Residential)
and Commercial Distribution Tariff, by) DOCKET NO. 070231-EI
Florida Power & Light Company)
_____)

In re: Petition for Approval of)
Underground Conversion Tariff)
Revisions by Florida Power & Light) DOCKET NO. 080244-EI
Company) FILED: JUNE 2, 2009
_____)

THE MUNICIPAL UNDERGROUND UTILITIES CONSORTIUM'S
NOTICE OF WITHDRAWAL OF PROTEST

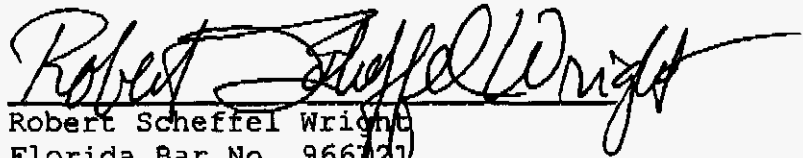
On November 24, 2008, the Florida Public Service Commission ("PSC") issued its proposed agency action order in Docket No. 070231-EI, approving Florida Power & Light Company's ("FPL") petition for revisions to its underground residential distribution ("URD") and underground commercial distribution ("UCD") tariffs. See Order No. PSC-08-0774-TRF-EI, issued on November 24, 2008 ("PAA Order"). The Municipal Underground Utilities Consortium ("MUUC") and the City of Coconut Creek timely filed a protest of the PAA Order on December 15, 2008. On December 22, 2008, Intervenor, the City of South Daytona ("South Daytona") also filed a protest of the PAA Order.

During the course of the proceedings, FPL, the MUUC, Coconut Creek, and South Daytona have all agreed to stipulate that FPL's UCD tariffs were not at issue in this proceeding. In an abundance of caution, and in order to prepare an administrative order

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approving FPL's UCD tariffs, Staff asked the protesting parties to withdraw their protests of the PAA Order. Therefore, the MUUC and Coconut Creek hereby withdraw their protest relating to FPL's UCD tariffs, and have no objection to the approval of FPL's UCD tariffs.

Respectfully submitted this 2nd day of June, 2009.



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Attorneys for the Municipal Underground
Utilities Consortium and the
City of Coconut Creek, Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic and U.S. Mail, on this 2nd day of June 2009.

Ralph Jaeger, Esquire
Erik Sayler, Esquire
Florida Public Service Commission
Division of Legal Services
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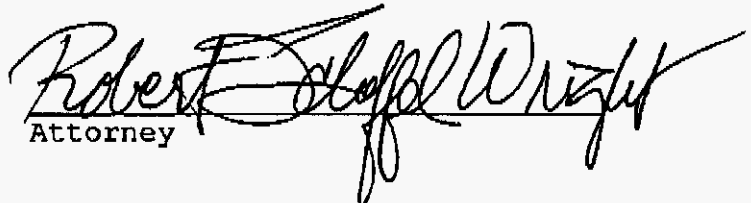
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