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November 12, 2004

**BY HAND DELIVERY**

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Room 711  
Washington, D.C. 20423-0001



**Re: Docket No. 42072, Carolina Power & Light  
Company v. Norfolk Southern Railway Company**

Dear Secretary Williams:

On November 1, 2004 Complainant Carolina Power & Light Company ("CP&L") filed a Petition for Clarification or Stay ("Petition") of the Board's decision served October 20, 2004 in the referenced docket. Since the filing of the Petition, the parties have reached an agreement obviating the need for the relief requested in the Petition. Accordingly, CP&L hereby withdraws its Petition.

Kindly indicate receipt and filing by time-stamping the enclosed extra copy of this filing and returning it to the bearer of this letter. Thank you for your attention to this matter.

Sincerely,

*C. Michael Loftus*

C. Michael Loftus  
An Attorney for  
Carolina Power & Light Company

CML/jwp

cc: G. Paul Moates, Esq.