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GABELLI UTILITY TRUST Form N-23C-2 October 20, 2008

# SECURITIES AND EXCHANGE COMMISSION WASHINGTON, DC 20549

RULE 23C-2 NOTICE OF INTENTION TO REDEEM SECURITIES OF

#### THE GABELLI UTILITY TRUST

One Corporate Center
Rye, New York 10580-1422
(914) 921-5070
under the
Investment Company Act of 1940
Investment Company Act File No. 811-09243

The undersigned registered closed-end investment company hereby notifies the Securities and Exchange Commission (the Commission ) that it intends to redeem securities of which it is the issuer, as set forth below in accordance with the requirements of Rule 23c-2 under the Investment Company Act of 1940, and states that it is filing this notice with the Commission pursuant to permission granted by the Commission s staff fewer than 30 days prior to the date set for the redemption.

- (1) Title of the class of securities of The Gabelli Utility Trust (the Fund ) to be redeemed:
- Series B Auction Market Preferred Shares, par value \$0.001 per share, liquidation preference of \$25,000 per share (the Series B Preferred Shares ).
- (2) The date on which the securities are to be called or redeemed:

November 12, 2008.

(3) The applicable provisions of the governing instrument pursuant to which the securities are to be called or redeemed:

The Series B Preferred Shares are to be redeemed pursuant to Part I, Section 3(a)(i) of the Fund s Statement of Preferences of Series B Auction Market Preferred Shares creating and fixing the rights of the Series B Preferred Shares, which was filed with the Securities and Exchange Commission on August 13, 2003 as Exhibit 2(a)(iii) to the Fund s Registration Statement on Form N-2.

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# (4) The principal amount or number of shares and the basis upon which the securities to be redeemed are to be selected:

The Fund intends to redeem 10% (100 shares) of its outstanding Series B Preferred Shares at the redemption price of \$25,000 per share, which equals the liquidation preference of \$25,000 per share. The Depository Trust Company will determine the allocations of this partial redemption of the outstanding Series B Preferred Shares by lottery among each participant account.

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### **SIGNATURE**

Pursuant to the requirement of Rule 23c-2 of the Investment Company Act of 1940, the Fund has duly caused this Notice of Intention to Redeem Securities to be signed on its behalf by the undersigned on this 20<sup>th</sup> day of October 2008.

#### THE GABELLI UTILITY TRUST

By: /s/ Bruce N. Alpert

Name: Bruce N. Alpert

Title: President and Principal Executive

Officer

- 3 -