

The Florida Public Service Commission announces a hearing to be held in the following docket, to which all interested persons are invited.

DOCKET NO. 981042-EU - Joint Petition for Determination of Need for an Electrical Power Plant in Volusia County by the Utilities Commission, City of New Smyrna Beach, Florida, and Duke Energy New Smyrna Beach Power Company Ltd., L.L.P.

DATE AND TIME: 9:30 a.m., Wednesday, December 2, 1998. December 3, 1998, and December 4, 1998, have also been reserved for this proceeding. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Sections 403.501-519, Florida Statutes (1997), for the construction of an electric power plant and related facilities in Volusia County, Florida. This proceeding shall allow the Utilities Commission, City of New Smyrna Beach, Florida, and Duke Energy New Smyrna Beach Power Company, Ltd., L.L.P., to present evidence and testimony in support of their petition for a determination of need for their proposed plant and related facilities in Volusia County, Florida; to permit any intervenors to present testimony and exhibits concerning this matter; to permit members of the public who are not

RECEIVED  
SEP 2 11:20 AM '98  
TALLAHASSEE, FLORIDA

DOCUMENT NUMBER-DATE

09624 SEP-28 000154

FOR RECORDS REPORTING

parties to the need determination proceeding the opportunity to present testimony concerning this matter; and for such other purposes as the Commission may deem appropriate. Any member of the public who wishes to offer testimony should be present at the beginning of the hearing. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code. All witnesses shall be subject to cross-examination at the conclusion of their testimony. The hearing will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

Only issues relating to the need for the power plant and its associated facilities will be heard at the December 2, 3, and 4, 1998, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed plant and associated facilities as required by the "Florida Electrical Power Plant Siting Act," Sections 403.501-518, Florida Statutes.

Any person requiring some accommodation at the hearing because of a physical impairment should call the Division of Records and Reporting at (904)413-6770 at least 48 hours prior to the hearing. If you are hearing or speech impaired, please contact the Florida

Public Service Commission by using the Florida Relay Service, which  
can be reached at 1-800-955-8771 (TDD).

000156