

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: 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. )  
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DOCKET NO. 981042-EM

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FLORIDA POWER CORPORATION'S  
REQUEST FOR ORAL ARGUMENT

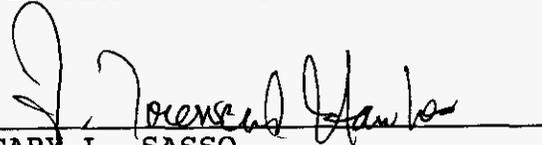
Pursuant to Commission Rule 25-22.058, Fla. Admin. Code, Florida Power Corporation ("FPC"), respectfully requests leave to present oral argument to the Commission on FPC's contemporaneously filed Motion to Dismiss Proceeding. The issues raised by FPC's Motion to Dismiss Proceeding are of fundamental importance to the roles of the Commission and of FPC, among others, under the existing statutory framework in the State of Florida. FPC believes that oral argument will assist substantially the Commission in determining these important issues.

WHEREFORE, FPC respectfully requests that it be allowed to present oral argument on its Motion to Dismiss Proceeding.

DATED this 24 day of September 1998.

Respectfully submitted,

FLORIDA POWER CORPORATION



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail to: Robert Scheffel Wright, Esq., Landers and Parson, P.A., Post Office Box 271, Tallahassee, FL 32302 as counsel for Duke Energy New Smyrna Beach Power Company, L.L.P.; and, Robert S. Lilien, Esq., Duke Energy Power Services, LLC, 422 Church Street, PB05B, Charlotte, NC 28242 this 5th day of September, 1998.

  
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Attorney