

STEEL  
HECTOR  
& DAVIS  
REGISTERED LIMITED LIABILITY PARTNERSHIP

ORIGINAL

RECEIVED-FPSC

00 SEP -8 PM 3: 38

RECORDS AND  
REPORTING

Steel Hector & Davis LLP  
215 South Monroe, Suite 601  
Tallahassee, Florida 32301-1804  
850.222.2300  
850.222.8410 Fax  
www.steelhector.com

Charles A. Guyton  
850.222.3423

September 8, 1998

Blanca S. Bayó, Director  
Division of Records and Reporting  
Florida Public Service Commission  
4750 Esplanade Way, Room 110  
Tallahassee, FL 32399

RE: DOCKET NO. 981042-EM

Dear Ms. Bayó:

Enclosed for filing please find the original and fifteen (15) copies of Florida Power & Light Company's Request for Oral Argument Regarding Motion to Dismiss Joint Petition.

Very truly yours,



Charles A. Guyton

ACK \_\_\_\_\_ CAG:ml  
AFA 2 \_\_\_\_\_ Enclosure  
APP \_\_\_\_\_ cc: All Parties of Record  
CAF \_\_\_\_\_  
CMU \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG Futrell \_\_\_\_\_  
LEG 2 \_\_\_\_\_  
LIN 5 \_\_\_\_\_  
OPC \_\_\_\_\_  
RCH \_\_\_\_\_  
SEC 1 \_\_\_\_\_  
WAS \_\_\_\_\_ Miami West Palm Beach Tallahassee Key West London Caracas  
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

09773 SEP-8 8

TO RECORDS AND REPORTING  
SÃO PAULO RIO DE JANEIRO

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 ) DOCKET NO. 981042-EM  
Commission, City of New Smyrna Beach, ) FILED: SEPTEMBER 8, 1998  
Florida, and Duke Energy New Smyrna )  
Beach Power Company Ltd., L.L.P. )  
\_\_\_\_\_ )

FLORIDA POWER & LIGHT COMPANY'S  
REQUEST FOR ORAL ARGUMENT REGARDING  
MOTION TO DISMISS JOINT PETITION

Pursuant to Florida Administrative Code Rule 25-22.058, Florida Power & Light Company ("FPL") requests oral argument on its Motion to Dismiss Joint Petition being filed contemporaneously with this request for oral argument. Oral argument should be granted because of the importance of the issues raised in the motion to dismiss not only to the parties to this proceeding but also to the electric utility industry in Florida. The arguments raised by FPL and likely to be raised by the petitioners in response to FPL's arguments are detailed. The Commission would be well served with oral argument which focus those arguments.

Respectfully submitted,

Steel Hector & Davis LLP  
215 South Monroe Street  
Suite 601  
Tallahassee, Florida 32301  
(850) 222-2300  
Attorneys for Florida Power  
& Light Company

By: Charles A. Guyton  
Matthew M. Childs, P.A.  
Charles A. Guyton

DOCUMENT NUMBER-DATE

09773 SEP 08 2003 13

FILED - RECORDS/REPORTING

**CERTIFICATE OF SERVICE  
DOCKET NO. 981042-EM**

I **HEREBY CERTIFY** that a true and correct copy of Florida Power & Light Company's Request for Oral Argument Regarding Motion to Dismiss Joint Petition has been furnished by Hand Delivery (\*), or U.S. Mail this 8th day of September, 1998, to the following:

Leslie J. Paugh, Esq.\*  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Room 370  
Tallahassee, FL 32399-0850

Robert Scheffel Wright, Esq.\*  
John T. LaVia, III, Esq.  
Landers & Parsons, P.A.  
P.O. Box 271  
Tallahassee, FL 32302

Mr. Ronald L. Vaden, Utilities Director  
Utilities Commission  
City of New Smyrna Beach  
Post Office Box 100  
New Smyrna Beach, FL 32170-0100

Kelly J. O'Brien, Manager  
Structured Transactions  
Duke Energy Power Services LLC  
5400 Westheimer Court  
Houston, TX 77056

By: Charles A. Guyton  
Charles A. Guyton

000314