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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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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.)

DOCKET NO. 981042-EM
RECORDS AND REPORTING
FILED: NOVEMBER 12, 1998

NOTICE OF INTENT TO REQUEST
SPECIFIED CONFIDENTIAL TREATMENT

Duke Energy New Smyrna Beach Power Company Ltd., L.L.P.
("Duke New Smyrna"), pursuant to rule 25-22.006(3)(a)1., Florida
Administrative Code ("F.A.C."), hereby gives notice of its intent
to request confidential treatment of certain information
responsive to Requests to Produce 24, 25 and 26 of Staff's Second
Requests to Produce, propounded on Duke New Smyrna on October 23,
1998, in the above-referenced docket. A copy of Requests to
Produce Numbers 24, 25 and 26 are attached hereto as Exhibit A.

The information for which Duke New Smyrna will seek
Specified Confidential treatment will be submitted to Commission
Staff on November 13, 1998. If Staff determines it must retain
this information, Duke New Smyrna will file a Request for
Specified Confidential Treatment at a future date.

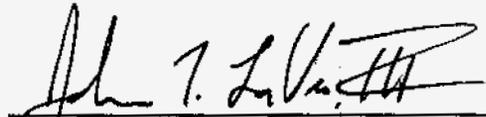
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all to Matilda

Respectfully submitted this 12th day of November, 1998.



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Attorneys for the Utilities Commission,
City of New Smyrna Beach, Florida,

and

Duke Energy New Smyrna Beach Power
Company Ltd., L.L.P.

001069

CERTIFICATE OF SERVICE
DOCKET NO. 981042-EM

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by hand delivery (*) or by United States Mail, postage prepaid, on the following individuals this 12th day of November, 1998:

Leslie J. Paugh, Esquire*
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, FL 32399

Gail Kamaras, Esquire
LEAF
1114 Thomasville Road
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Tallahassee, FL 32303-6290

Charles A. Guyton, Esquire
Steel Hector & Davis
215 South Monroe Street
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Gary L. Sasso, Esquire
Carlton, Fields et al
P.O. Box 2861
St. Petersburg, FL 33733

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Vice President, Regulatory Affairs
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Michelle Hershel, Esquire
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Terry L. Kammer, COPE Director
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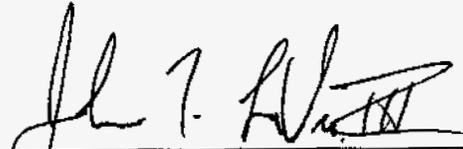
Susan D. Cranmer
Asst. Secretary & Asst. Treasurer
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Attorney

001070

EXHIBIT A

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO DUKE ENERGY
NEW SMYRNA BEACH POWER COMPANY, LTD., L.L.P. (NOS. 24 - 27)
DOCKET NO. 981042-EM

DOCUMENTS REQUESTED

24. Please provide copies of all reports or analyses for Utilities Commission, New Smyrna Beach and Duke Energy Corporation prepared by or for Moody's Investor Services from January 1, 1997, through the present.

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO DUKE ENERGY
NEW SMYRNA BEACH POWER COMPANY, LTD., L.L.P. (NOS. 24 - 27)
DOCKET NO. 981042-EM

25. Please provide copies of all reports or analyses for Utilities Commission, New Smyrna Beach and Duke Energy Corporation prepared by or for Fitch from January 1, 1997, through the present.

STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO DUKE ENERGY
NEW SMYRNA BEACH POWER COMPANY, LTD., L.L.P. (NOS. 24 - 27)
DOCKET NO. 981042-EM

26. Please provide copies of all reports or analyses for Duke Energy Corporation prepared by or for Duff and Phelps from January 1, 1997, through the present.