

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

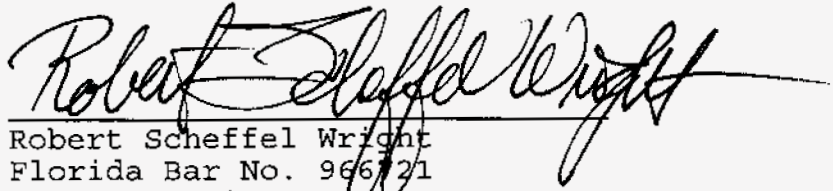
In Re: Joint Petition for)
 Determination of Need for an) DOCKET NO. 981042-EM
 Electrical Power Plant in Volusia)
 County by the Utilities Commission,) FILED: DECEMBER 11, 1998
 City of New Smyrna Beach, Florida,)
 and Duke Energy New Smyrna Beach)
 Power Company Ltd., L.L.P.)

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 COMMUNICATIONS SECTION

REQUEST FOR JUDICIAL NOTICE

The Utilities Commission, City of New Smyrna Beach, Florida ("UCNSB") and Duke Energy New Smyrna Beach Power Company, Ltd., L.L.P. ("Duke New Smyrna") hereby request that the Commission take judicial notice of the following Order of the Florida Public Service Commission:

- Order No. PSC-97-0659-FOF-EM, issued June 9, 1997, Docket No. 961512-EM, In Re: Petition to determine need for electrical power plant in St. Marks, Wakulla County, by City of Tallahassee.




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 City of New Smyrna Beach, Florida,
 and
 Duke Energy New Smyrna Beach Power
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ACK _____
 AFA 2
 APP _____
 CAF _____
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 EPR Futrell
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 LSI 5
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 SEC 1
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 DTH _____

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DOCUMENT NUMBER-DATE

FPSC BUREAU OF RECORDS

14018 DE 001662

FPSC BUREAU OF RECORDS REPORTING

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 11th day of December, 1998:

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