

ORIGINAL

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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 RECORDS AND REPORTING

NOTICE OF FILING 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 gives notice of filing their request for judicial notice of the following item in support of their Joint Petition for Determination of Need in the above referenced docket.

1. 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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ACK _____
 AFA 2
 APP _____
 CAF _____
 CMU _____
 CTR _____
 EAG Futrell
 LEG 3
 LIN 5
 OPC _____
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 SEC 1
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DOCUMENT NUMBER-DATE

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FPSC-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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