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April 20, 1999

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By Hand Delivery

**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**

Dear Ms. Bayo:

Enclosed please find the original of Florida Power & Light Company's Notice of Administrative Appeal to the Supreme Court of Florida in Docket No. 981042-EM. Also enclosed is an additional copy of the Notice which we request that you stamp and return to our runner.

If you or your Staff have any questions regarding this filing, please contact me.

- ACK _____
- AFB _____
- APF _____
- CA _____
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- EA _____
- LE _____
- LP _____
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- S _____
- W _____
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Enc.
cc: Counsel for all parties of record
The Supreme Court of Florida

Very truly yours,

Charles A. Guyton

DOCUMENT NUMBER-DATE

04992 APR 20 99

Miami West Palm Beach Tallahassee Key West London Caracas São Paulo Rio de Janeiro
FPSC-RECORDS/REPORTING

ORIGINAL

IN 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.,)

DOCKET NO. 981042-EM

_____)
)
Florida Power & Light Co.,)
)
Intervenor/Appellant,)

vs.)

)
Duke Energy Power Company Ltd., L.L.P.)
and the Utilities Commission of the City of)
New Smyrna Beach, Florida,)

)
Petitioners/Appellees.)
_____)

Florida Power & Light Co.'s Notice of
Administrative Appeal to the Supreme Court of Florida

NOTICE IS GIVEN that Florida Power & Light Co., Appellant, appeals to the Supreme Court of Florida, Order No. PSC-99-0535-FOF-EM of this Commission rendered March 22, 1999. The nature of the order is an order granting a 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. A copy of the order is attached.

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DOCKET NO. 981042-EM

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Certificate of Service

I hereby certify that a true and correct copy of this Notice of Administrative Appeal was mailed April 20, 1999, to:

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