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By Hand Delivery

ORIGINAL

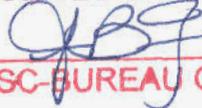
**In re: Joint Petition for Determination of Need for an Electrical Power Plant in Volusia County by the Utilities Commission, City of New Smyrna Beach, Florida, and Duke Energy New Smyrna Beach Power Company Ltd., L.L.P.
Docket No. 981042-EM**

Dear Ms. Bayo:

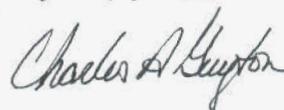
Enclosed please find the original of Florida Power & Light Company's Notice of Administrative Appeal to the First District Court of Appeal of Florida in Docket No. 981042-EM. Also enclosed is an additional copy of the Notice which we request that you stamp and return to our runner.

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

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FPSC-BUREAU OF RECORDS

Very truly yours,



Charles A. Guyton

Enc.

cc: Counsel for all parties of record
The First District Court of Appeal

TAL_1998/31015-1

DOCUMENT NUMBER-DATE

05103 APR 21 1999

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FPSC-RECORDS/REPORTING

IN THE
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

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 First District Court of Appeal of Florida

NOTICE IS GIVEN that Florida Power & Light Co. ("FPL"), Appellant, appeals to the First District Court Appeal of Florida, Order No. PSC-99-0535-FOF-EM of this Commission issued and 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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By Charles A. Hector

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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 21, 1999, to:

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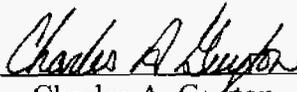
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