

ORIGINAL

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received the petition for declaratory statement of Duke Mulberry Energy, L.P., and IMC-Agrico Company. The petitioners inquire as to whether they are entitled to apply for a determination of need for an electric power plant pursuant to section 403.519, Florida Statutes, Commission Rules 25-22.080 - .081, Florida Administrative Code, and provisions of the Florida Electrical Plant Siting Act or whether, in the alternative, no determination of need is required for their proposed combination self-generation and merchant plant project. Docket No. 971337-EU.

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