

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF ORAL ARGUMENT

TO

ALL PARTIES

AND

ALL INTERESTED PERSONS

RE: DOCKET NO. 981042-EM

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.

ISSUED: September 16, 1998

NOTICE is hereby given that Commissioner Joe Garcia, as Prehearing Officer, will hear Oral Argument in the above-referenced docket regarding the issues raised in Florida Power & Light Company's Petition for Leave to Intervene, Florida Power Corporation's Petition to Intervene, Florida Electric Cooperatives Association, Inc.'s Petition for Leave to Intervene and Petitioner's Response in Opposition and Motion to Deny Florida Power & Light Company's Petition for Leave to Intervene and Accompanying Memorandum of Law and other responses in opposition to intervention which may be timely filed by the petitioner. The issues to be argued include:

1. Whether Florida Power & Light Company's Petition for Leave to Intervene, Florida Power Corporation's Petition to Intervene, and Florida Electric Cooperatives Association, Inc.'s Petition for Leave to Intervene should be granted.
2. Whether the Petitioner's Response in Opposition and Motion to Deny Florida Power & Light Company's Petition for Leave to Intervene and Accompanying Memorandum of Law should be granted.

DOCUMENT NUMBER-DATE

10136 SEP 16 1998 000386

FPSC-RECORDS/REPORTING

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Oral Argument will be held at the following time and place:

12:00 noon, Thursday, October 1, 1998
Room 152, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

PURPOSE

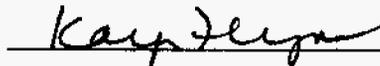
The purpose of this oral argument is to provide parties the opportunity to present argument regarding the issues raised by the three petitions for intervention in Docket No. 981042-EM.

Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in this Oral Argument is asked to advise the Florida Public Service Commission at least 48 hours before the Oral Argument by contacting the Division of Records and Reporting at (850) 413-6770 at least 48 hours before the Oral Argument. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by the provisions of Chapter 366, Florida Statutes. This proceeding will be governed by: Chapters 366, 403.519, and 120, Florida Statutes; and, Chapters 25-22, and 28-106 Florida Administrative Code.

By DIRECTION of the Florida Public Service Commission, this 16th day of September, 1998.



KAY FLYNN, Chief
Bureau of Records

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