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October 16, 1998

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

RE: Docket No. 981042-EM
Notice of Intent to Request
Specified Confidential Treatment

RECEIVED-FPSC
98 OCT 16 PM 4:44
RECORDS AND
REPORTING

Dear Ms. Bayo:

Enclosed for filing is Duke Energy New Smyrna Beach Power Company Ltd., L.L.P.'s Notice of Intent to Request Specified Confidential Treatment regarding certain information responsive to Interrogatory Number 11 of Staff's First Set of Interrogatories. Exhibit B to the Request is a sealed envelope marked "Confidential Document Enclosed" containing the response to Interrogatory Number 11. **This document should be treated as Specified Confidential.**

RECEIVED & FILED
JTB
FPSC-BUREAU OF RECORDS

Sincerely,
John T. LaVia, III
John T. LaVia, III

Enclosures

cc: Parties of Record

This Notice of Intent was filed with Confidential Document No. 11603-98. The document has been placed in the confidential files pending receipt of a request for confidential treatment.

DOCUMENT NUMBER-DATE
11602 OCT 16 88
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

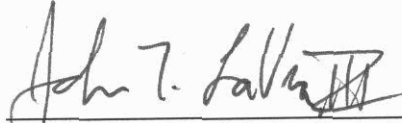
In Re: Joint Petition for)
Determination of Need for an) DOCKET NO. 981042-EM
Electrical Power Plant in Volusia)
County by the Utilities Commission,) FILED: OCTOBER 16, 1998
City of New Smyrna Beach, Florida,)
and Duke Energy New Smyrna Beach)
Power Company Ltd., L.L.P.)
_____)

NOTICE OF INTENT TO REQUEST
SPECIFIED CONFIDENTIAL TREATMENT

Duke Energy New Smyrna Beach Power Company Ltd., L.L.P.
("Duke New Smyrna"), pursuant to Rule 25-22.006(3)(a)1., Florida
Administrative Code ("F.A.C."), hereby gives notice of its intent
to request confidential treatment of certain information
responsive to Interrogatory Number 11 of Staff's First Set of
Interrogatories, propounded on Duke New Smyrna on September 16,
1998 in the above-referenced docket. A copy of Interrogatory
Number 11 is attached hereto as Exhibit A.

The information for which Duke will seek Specified
Confidential treatment is attached hereto in a separate envelope
marked "Confidential". **This document should be given**
confidential treatment. If necessary, Duke New Smyrna will file
a Request for Specified Confidential Treatment at a future date.

Respectfully submitted this 16th day of October, 1998.



Robert Scheffel Wright
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John T. LaVia, III
Florida Bar No. 853666
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Attorneys for the Utilities Commission,
City of New Smyrna Beach, Florida,

and

Duke Energy New Smyrna Beach Power
Company Ltd., L.L.P.

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 16th day of October, 1998:

Leslie J. Paugh, Esquire*
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gunter Building
Tallahassee, FL 32399

Gail Kamaras
LEAF
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Tallahassee, FL 32303-6290

Charles A. Guyton, Esquire
Steel Hector & Davis
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Gary L. Sasso, Esquire
Carlton, Fields et al
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Vice President, Regulatory Affairs
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Michelle Hershel, Esquire
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Office of Public Counsel
111 W. Madison Ave., Room 812
Tallahassee, FL 32399-1400



Attorney

11. Please state the cost of equity of Duke/New Smyrna internal funds that will be used to finance this project. If there is a plan for future debt financing, please provide the cost of debt and the basis for this rate.

EXHIBIT A

000667