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October 23, 1998

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
4750 Esplanade Way, Room 110
Tallahassee, Florida 32399

RE: Docket No. 981042-EM

Dear Ms. Bayo:

Enclosed for filing please find the original and fifteen (15) copies of the following documents:

- (1) Utilities Commission, City of New Smyrna Beach
Objections to Florida Power & Light Company's First Set
of Interrogatories (1-15); 11875-98
- (2) Utilities Commission, City of New Smyrna Beach's
Objections' to Florida Power & Light Company's First
Request for Production of Document (1-13); 11870-98
- (3) Duke Energy New Smyrna Beach Power Company Ltd.,
L.L.P.'s Objections to Florida Power & Light Company's
First Set of Interrogatories (Nos. 1-37) and 11877-98
- (4) Duke Energy New Smyrna Beach Power Company Ltd.,
L.L.P.'s Objections to Florida Power & Light Company's
First Request for Production of Documents (1-13). 11878-98

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Cordially yours,
Robert Scheffel Wright
Robert Scheffel Wright

cc: Parties of Record (w/enclosures)

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ORIGINAL

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 23, 1998
City of New Smyrna Beach, Florida,)	
and Duke Energy New Smyrna Beach)	
Power Company Ltd., L.L.P.)	

**UTILITIES COMMISSION, CITY NEW SMYRNA BEACH'S OBJECTIONS
TO FLORIDA POWER & LIGHT COMPANY'S FIRST SET
OF INTERROGATORIES (NOS. 1-15)**

The Utilities Commission, City of New Smyrna Beach, Florida ("Utilities Commission") pursuant to the Order Establishing Procedures issued in this docket on September 4, 1998, hereby respectfully submits its objections to Florida Power & Light Company's ("FPL") First Set of Interrogatories (Nos. 1-15) which were served on the Utilities Commission on October 13, 1998.

GENERAL OBJECTIONS

The Utilities Commission objects to FPL's First Set of Interrogatories (Nos. 1-15) on the grounds set forth in paragraph A below. Each of the Utilities Commission's responses will be subject to and qualified by these general objections.

A. The Utilities Commission objects to FPL's request that the answers to these interrogatories be provided on or before October 27, 1998. Rule 1.340, Florida Rule of Civil Procedure ("F.R.C.P.") which is made specifically applicable to this proceeding by Uniform Rule 28-106.206, Florida Administrative Code ("F.A.C."), requires that answers to interrogatories shall

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be served within 30 days of service of the interrogatories. However, in the spirit of compromise, the Utilities Commission stated in its Response in Opposition to FPL's Motion to Expedite Discovery and Motion for Alternative Expedited Discovery Schedule, filed with the Commission on October 19, 1998, that it will agree to respond to discovery requests, including FPL's, within 20 days of service.

SPECIFIC OBJECTIONS

The Utilities Commission, City of New Smyrna Beach, makes the following specific objection to Interrogatory No. 14 from FPL's First Set to the UCNSB.

14. The Utilities Commission, City of New Smyrna Beach, objects to this request on the ground that it is vague. FPL does not identify the time period addressed by its question. Subject to this objection, the UCNSB will attempt to answer this interrogatory.

Respectfully submitted this 23rd day of October, 1998.



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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 23rd day of October, 1998:

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