

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

FILED: DECEMBER 17, 1998

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PUBLIC SERVICE COMMISSION

JOINT PETITIONERS' NOTICE OF FILING REQUEST FOR JUDICIAL NOTICE

The Utilities Commission, City of New Smyrna Beach, Florida ("UCNSB") and Duke Energy New Smyrna Beach Power Company, Ltd., L.L.P. ("Duke New Smyrna"), (collectively referred to as "Joint Petitioners") hereby gives notice of filing their request for judicial notice of the following items in support of their Joint Petition for Determination of Need in the above-referenced docket:

1. Florida House of Representatives Bill 149 (1973);
2. Florida House of Representatives, Committee on Environmental Protection, Subcommittee on Permits, Summary of March 27, 1973 Proceedings, including attachments;
3. Florida House of Representatives, Committee on Environmental Protection, Subcommittee on Permits, certified copies of tape recordings of proceedings, February 27 and March 27, 1973.

ACK _____
AFA _____
APP _____
CAF _____
CMU _____
CIC _____
EAT _____
LCA _____
LIV _____
CJ _____
RCL _____
SE _____
SAS _____
OTH _____

RECEIVED & FILED
[Signature]
PUBLIC SERVICE COMMISSION RECORDS

DOCUMENT NUMBER-DATE

14133 DEC 17 1998 01680

REGISTRATION REPORTING

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and

Duke Energy New Smyrna Beach Power
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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 17th day of December, 1998:

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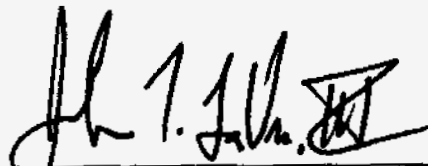
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