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Charles A. Guyton 850.222.3423

September 8, 1998

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

## RE: DOCKET NO. 981042-EM

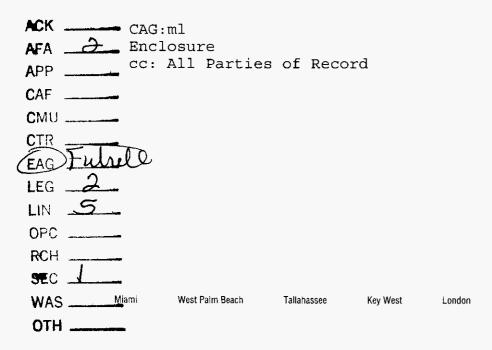
Dear Ms. Bayó:

Enclosed for filing please find the original and fifteen (15) copies of Florida Power & Light Company's Request for Oral Argument Regarding Motion to Dismiss Joint Petition.

Very truly yours,

Charles A. Guyton

Caracas



DOCUMENT NUMBER-DATE

69773 SEP-85

ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Joint Petition for Determination )
of Need for an Electrical Power Plant )
in Volusia County by the Utilities )DOCKET NO. 981042-EM
Commission, City of New Smyrna Beach, )FILED: SEPTEMBER 8,1998
Florida, and Duke Energy New Smyrna )
Beach Power Company Ltd., L.L.P. )
)

## FLORIDA POWER & LIGHT COMPANY'S REQUEST FOR ORAL ARGUMENT REGARDING MOTION TO DISMISS JOINT PETITION

Pursuant to Florida Administrative Code Rule 25-22.058, Florida Power & Light Company ("FPL") requests oral argument on its Motion to Dismiss Joint Petition being filed contemporaneously with this request for oral argument. Oral argument should be granted because of the importance of the issues raised in the motion to dismiss not only to the parties to this proceeding but also to the electric utility industry in Florida. The arguments raised by FPL and likely to be raised by the petitioners in response to FPL's arguments are detailed. The Commission would be well served with oral argument which focus those arguments.

Respectfully submitted,

Steel Hector & Davis LLP 215 South Monroe Street Suite 601 Tallahassee, Florida 32301 (850) 222-2300 Attorneys for Florida Power & Light Company

By:

Matthew M. Challds, P.A. Charles A. Guyton DECLIMENT NETAPER-DATE

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## CERTIFICATE OF SERVICE DOCKET NO. 981042-EM

I HEREBY CERTIFY that a true and correct copy of Florida Power & Light Company's Request for Oral Argument Regarding Motion to Dismiss Joint Petition has been furnished by Hand Delivery (\*), or U.S. Mail this 8th day of September, 1998, to the following:

Leslie J. Paugh, Esq.\* Legal Division Florida Public Service Commission 2540 Shumard Oak Boulevard Room 370 Tallahassee, FL 32399-0850

Robert Scheffel Wright, Esq.\* John T. LaVia, III, Esq. Landers & Parsons, P.A. P.O. Box 271 Tallahassee, FL 32302

Mr. Ronald L. Vaden, Utilities Director Utilities Commission City of New Smyrna Beach Post Office Box 100 New Smyrna Beach, FL 32170-0100

Kelly J. O'Brien, Manager Structured Transactions Duke Energy Power Services LLC 5400 Westheimer Court Houston, TX 77056

By: es A. Guyton

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