

Section 1 - Bureau of Records Compl...

Docket No. 040766-EI Date Docketed: 07/21/2004 Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

Official Filing Date: Last Day to Suspend: Referred to: ("O" indicates OPR)

Expiration:

Table with columns: CCA, CMP, (ECR), FLL, GCL, MMS, PIF, RCA, SCR. Row 1: X, X

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(c)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

0 Current CASR revision level

Due Dates Previous Current

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel Hearing Examiner Staff

Date filed with CCA:

Initials: OPR Staff Counsel

Table with 40 rows (1-40) and 3 columns (Current CASR revision level, Due Dates Previous, Due Dates Current)

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff

- Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (BZ, DS, JB, BD, DV), ADM

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: Date:

DOCUMENT NO 14688-04

Section 1 - Bureau of Records Complete.

Docket No. 040766-EI Date Docketed: 07/21/2004 Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

Company: Florida Power & Light Company
New Hope Power Partnership

Official Filing Date: _____
Last Day to Suspend: _____
Referred to: _____
("O" indicates OPR)

Expiration: _____

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(c)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff J Sickel, T Bohrmann

Staff Counsel J Brubaker

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: 08/03/2004

Initials: OPR _____
Staff Counsel _____

Current CASR revision level	Due Dates	
	Previous	Current
0		
1. Petition Filed	NONE	07/21/2004
2. Order Establishing Procedure	NONE	08/11/2004
3. Revised CASR Due	NONE	08/20/2004
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/hms
Date: 08/03/2004

Case Scheduling/Rescheduling Advice

Last Revised 08/09/2004 at 08:52

Page 1 of 1

Printed on 08/09/2004 at 09:04

To:

<input type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input checked="" type="checkbox"/> Economic Regulation Director
<input type="checkbox"/> Commissioner Jaber	<input checked="" type="checkbox"/> General Counsel Director	<input type="checkbox"/> External Affairs Director
<input checked="" type="checkbox"/> Commissioner Bradley	<input type="checkbox"/> Auditing & Safety Director	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Davidson	<input checked="" type="checkbox"/> Comm. Clerk & ADM Services	<input checked="" type="checkbox"/> Staff Contact - Jennifer Brubaker
<input checked="" type="checkbox"/> Executive Director	<input type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/>

From: Office of Chairman Braulio Baez

Docket Number: 040766-EI

Docket Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference		10/07/2004	Tallahassee, Room 152	9:30 AM - 11:00 AM
Hearing		10/15/2004	Tallahassee, Room 148	9:30 AM - 5:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
	X			X	X		

Prehearing Officer

Commissioners						
BZ	DS	JB	BD	DV	ADM	

Commissioners						
BZ	DS	JB	BD	DV	ADM	
			X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks: Order No. PSC-04-0754-PCO-EI establishing procedure.

Section 1 - Bureau of Records Complet

Docket No. 040766-EI Date Docketed: 07/21/2004 Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

Company: Florida Power & Light Company
New Hope Power Partnership

Official Filing Date: _____
Last Day to Suspend: _____
Referred to: _____
("O" indicates OPR)

Expiration: _____

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(c)

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FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff J Sichel, T Bohrmann

Staff Counsel J Brubaker

OCRs

1 Current CASR revision level

Due Dates
Previous Current

1.	Notice of Prehearing and Hearing	NONE	07/30/2004
2.	Testimony - Intervenor	NONE	08/18/2004
3.	Preliminary List of Issues	NONE	08/25/2004
4.	Testimony - Staff	NONE	09/14/2004
5.	FAW Notice of Prehearing & Hearing Filed	NONE	09/14/2004
6.	Testimony - Rebuttal	NONE	09/21/2004
7.	Prehearing Statements	NONE	09/28/2004
8.	Prehearing	NONE	10/07/2004
9.	Transcript of Prehearing Due	NONE	10/08/2004
10.	Hearing	NONE	10/15/2004
11.	Transcript of Hearing Due	NONE	10/22/2004
12.	Briefs Due	NONE	10/29/2004
13.	Staff Recommendation	NONE	11/18/2004
14.	Agenda	NONE	11/30/2004
15.	Standard Order	NONE	12/20/2004
16.	Close Docket or Revise CASR	NONE	12/21/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission X Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: 08/10/2004

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	
X							

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/lu

Date: 08/10/2004

Case Scheduling/Rescheduling Advice

Last Revised 09/03/2004 at 15:20

Page 1 of 1

Printed on 09/03/2004 at 15:24

To:

<input type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input checked="" type="checkbox"/> Economic Regulation Director
<input type="checkbox"/> Commissioner Jaber	<input checked="" type="checkbox"/> General Counsel Director	<input type="checkbox"/> External Affairs Director
<input checked="" type="checkbox"/> Commissioner Bradley	<input type="checkbox"/> Auditing & Safety Director	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Davidson	<input checked="" type="checkbox"/> Comm. Clerk & ADM Services	<input checked="" type="checkbox"/> Staff Contact - Jennifer Brubaker
<input checked="" type="checkbox"/> Executive Director	<input type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/>

From: Office of Chairman Braulio Baez

Docket Number: 040766-EI

Docket Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

1. Schedule Information

Event	Former Date	New Date	Location	Time
Prehearing Conference	10/07/2004	10/04/2004	Tallahassee, Room 152	1:30 PM - 3:00 PM

2. Hearing/Prehearing Assignment Information

Former Assignments

Current Assignments

Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
	X			X	X		

Prehearing Officer

Commissioners						
BZ	DS	JB	BD	DV	ADM	

Commissioners						
BZ	DS	JB	BD	DV	ADM	
			X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks:

(Related dockets: 040767). Order No. PSC-04-0754-PCO-EI establishing procedure.

Section 1 - Bureau of Records Completes

Docket No. 040766-EI Date Docketed: 07/21/2004 Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

Company: Florida Power & Light Company
New Hope Power Partnership

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(c)

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 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff J Sichel, T Bohrmann

2 Current CASR revision level

Due Dates
 Previous Current

Staff Counsel J Brubaker

OCRs

1.	Testimony - Intervenor	SAME	08/18/2004
2.	Preliminary List of Issues	SAME	08/25/2004
3.	Testimony - Staff	SAME	09/14/2004
4.	FAW Notice of Prehearing & Hearing Filed	SAME	09/14/2004
5.	Testimony - Rebuttal	SAME	09/21/2004
6.	Prehearing Statements	SAME	09/28/2004
7.	Prehearing	10/07/2004	10/04/2004
8.	Transcript of Prehearing Due	SAME	10/08/2004
9.	Hearing	SAME	10/15/2004
10.	Transcript of Hearing Due	SAME	10/22/2004
11.	Briefs Due	SAME	10/29/2004
12.	Staff Recommendation	SAME	11/18/2004
13.	Agenda	SAME	11/30/2004
14.	Standard Order	SAME	12/20/2004
15.	Close Docket or Revise CASR	SAME	12/21/2004
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Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X
 Hearing ___ Staff ___

Date filed with CCA: 09/08/2004

Initials OPR _____
 Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

CSRA

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
	X			X	X		

Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

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Approved: *BBB*
 Date: 09/08/2004

Section 1 - Bureau of Records Completes

Docket No. 040766-EI Date Docketed: 07/21/2004 Title: Petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership.

Company: Florida Power & Light Company New Hope Power Partnership

Official Filing Date: _____

Expiration: _____

Last Day to Suspend: _____

Referred to:

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Table with columns: CCA, CMP, (ECR), FLL, GCL, MMS, PIF, RCA, SCR. Row 1: X, X

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(c)

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Staff Assignments

Due Dates

Main table with columns: OPR Staff, Staff Counsel, OCrs, Due Dates (Previous, Current). Rows 1-40 listing events like 'Petition Filed', 'Utility's Direct Testimony', etc.

Recommended assignments for hearing and/or deciding this case:

Full Commission ___ Commission Panel X Hearing ___ Staff ___

Date filed with CCA: 11/16/2004

Initials OPR Staff Counsel

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Table for Hearing Officer(s) with columns: Commissioners (ALL, BZ, DS, JB, BD, DV), Hrg Exam, Staff. Row 1: X, X, X

Prehearing Officer

Table for Prehearing Officer with columns: Commissioners (BZ, DS, JB, BD, DV), ADM. Row 1: X

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: [Signature] Date: 11/16/2004

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION
CLERK & ADMINISTRATIVE
SERVICES
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770 (CLERK)
(850) 413-6330 (ADMIN)

Public Service Commission

July 26, 2004

Robert Scheffel Wright, Esquire
Landers & Parsons, P.A.
310 West College Avenue
Tallahassee, Florida 32301

Re: Docket No. 040766-EI

Dear Mr. Wright:

This will acknowledge receipt of a petition for determination of need for expansion of electrical cogeneration power plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership, which was filed in this office on July 21, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

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An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

Marguerite Lockard

0748-PCO

From: Mary Diskerud
Sent: Tuesday, August 03, 2004 2:44 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

3

RECEIVED TASC
AUG -3 PM 3:30

Date and Time: 8/3/2004 2:43:00 PM
Docket Number: 040766-EI and 040767-EI
Filename / Path: Consolidation 040766-67.JB.DOC
Order Type: Signed / Hand Deliver

COMMISSION
CLERK

Copied to gcorders

3/1

Matilda Sanders

0754 - PCO

From: Mary Diskerud
Sent: Wednesday, August 04, 2004 2:29 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

7

Date and Time: 8/4/2004 2:28:00 PM
Docket Number: 040766-EI and 040767-EI
Filename / Path: OEP040766-67.JB.DOC
Order Type: Signed / Hand Deliver

RECEIVED
AUG - 4 PM 3:31
COMMISSION
CLERK

COPIED TO GCORDERS

4/2

Matilda Sanders

From: Mary Diskerud
Sent: Thursday, August 05, 2004 11:45 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 8/5/2004 11:45:00 AM
Docket Number: 040766-EI and 040767-EI
Filename / Path: Hearing 040766-67.JB.DOC

CCS ✓

Copied to gcorders

10/3/8
265. E1802

Matilda Sanders

From: Mary Diskerud
Sent: Thursday, August 05, 2004 11:47 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

2

Date and Time: 8/5/2004 11:47:00 AM
Docket Number: 040766-EI and 040767-EI
Filename / Path: Commence 040766-67.JSB.DOC

CCS ✓

Copied to gcorders

103/8

040766

Kay Flynn

From: Kay Flynn
Sent: Thursday, August 12, 2004 11:39 AM
To: 'legals@pbpost.com'
Cc: Lee Fulcher; Carol Purvis; Jennifer Brubaker; Marian Ellis
Subject: Publication of quarter-page ad

561-820-4340

FEID 58-1633719



040766newspa
:notice.doc (53)

Per my conversation with Dotty in the Legals section, I have attached a notice for publication as a quarter-page ad in the Sunday, 8/15/04 edition of the Palm Beach Post.

Please fax a proof for my review to: 850-413-7118. I understand you will send this fax Friday morning (8/13) and I will of course review it and return it to you asap. Please include your return fax number.

The bill for publication of the notice should be directed to:

Florida Public Service Commission
ATTN: Fiscal Section
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0870

My understanding is the cost for running this notice is \$1,100.59.

Please send a proof of publication (affidavit) to:

Florida Public Service Commission
ATTN: Kay Flynn
2540 Shumard Oak Blvd.
Tallahassee FL 32399-0870

Thanks for your assistance. Do call or e-mail me if you have any questions.

Kay Flynn
850-413-6744
kflynn@psc.state.fl.us

Karen McClendon
561-820-4377

Kay Flynn

To: legals
Subject: RE: Follow-up on proofing

Thanks!

-----Original Message-----

From: legals [mailto:legals@pbpost.com]
Sent: Friday, August 13, 2004 3:13 PM
To: Kay Flynn
Subject: Re: Follow-up on proofing

It was typed correctly.

Kay Flynn wrote:

>Karen, I left a voice-mail message for you concerning corrections to
>the notice that is to run in the 8/15 edition. This may not be a
>correction at all, but I want to be sure the statute reference in the
>3rd paragraph under "Purpose and Procedure," 2nd sentence from the end
>of that paragraph, is 403.507(2)(a)2. Because of the fuzziness of the
>fax, I wasn't sure if the (2)(a) was correctly typed.
>
>Can you confirm by return e-mail that it is correct?
>
>Everything else in the notice is fine!
>
>Thanks.
>
>Kay Flynn
>kflynn@psc.state.fl.us
>850-413-6744
>
>

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING AND PREHEARING CONFERENCE ON PETITION FOR
DETERMINATION OF NEED FOR PROPOSED EXPANSION OF ELECTRICAL
COGENERATION POWER PLANT

AND

PETITION FOR APPROVAL OF AN AS-AVAILABLE ENERGY AGREEMENT

TO

FLORIDA POWER & LIGHT COMPANY

NEW HOPE POWER PARTNERSHIP

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO: 040766-EI

PETITION FOR DETERMINATION OF NEED FOR EXPANSION
OF AN ELECTRICAL COGENERATION POWER PLANT IN
PALM BEACH COUNTY BY FLORIDA POWER & LIGHT
COMPANY AND NEW HOPE POWER PARTNERSHIP

AND

DOCKET NO. 040767-EI

PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE
AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY
AND NEW HOPE POWER PARTNERSHIP.

ISSUED: AUGUST 15, 2004

NOTICE is hereby given that the Florida Public Service Commission will hold a hearing in the above docket at the time and place listed below.

NOTICE OF HEARING AND PREHEARING CONFERENCE
DOCKET NOS. 040766-EI AND 040767-EI
PAGE 2

Friday, October 15, 2004, 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the proposed expansion of an electrical cogeneration power plant jointly proposed by Florida Power & Light Company (FPL) and New Hope Power Partnership (New Hope) in Palm Beach County, Florida; and for the requested approval of an associated as-available energy agreement between New Hope and FPL. This proceeding shall allow FPL and New Hope to present evidence and testimony in support of the joint petition for a determination of need for the proposed plant expansion and the associated agreement; to permit any intervenors to present testimony and exhibits concerning this matter; to permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 25-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the electrical power plant expansion. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, and whether the proposed plant expansion is the most cost-effective alternative available. In addition, the Commission must expressly consider the conservation measures taken by or reasonably available to the applicants which might mitigate the need for the proposed plant and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the New Hope facility shall create a presumption of public need and necessity and shall serve as the Commission's report required by Subsection 403.507(2)(a)2, Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

NOTICE OF HEARING AND PREHEARING CONFERENCE
DOCKET NOS. 040766-EI AND 040767-EI
PAGE 3

Only issues relating to the need for the power plant expansion and the associated power purchase agreement will be heard at the October 15, 2004, hearing. Separate public hearings will be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant expansion and associated agreement. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Friday, October 15, 2004. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

Written comments regarding the need for the proposed plant and associated facilities may be sent to the Commission at the following address:

Blanca S. Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket Nos. 040766-EI and 040767-EI

Anyone wishing to become a party to the need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Director of the Commission's Division of Commission Clerk and Administrative Services at the address listed above. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106.106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

GENERAL LOCATION AND PROJECT DESCRIPTION

The project is an expansion of New Hope's existing, 74.9 megawatt (MW) biomass-fueled Okeelanta cogeneration plant, that generates electricity and steam from the combustion of biomass fuels. The project is expected to generate between 150,000 megawatt-hours (MWH) and 190,000 MWH of net electrical energy per year, which New Hope will sell at wholesale

NOTICE OF HEARING AND PREHEARING CONFERENCE
DOCKET NOS. 040766-EI AND 040767-EI
PAGE 4

primarily to FPL and to other Florida utilities with responsibility for serving retail customers. New Hope and FPL have executed an associated power purchase agreement pursuant to which New Hope will sell seventy percent of the project's energy output to FPL at a one percent discount from FPL's avoided cost calculated pursuant to Commission Rule 25-17.0825(2), Florida Administrative Code, for an initial period of five years with mutual renewal options for up to an additional fifteen years. The project is projected to achieve commercial operation status by June 2006.

PREHEARING CONFERENCE

A prehearing conference for these dockets is scheduled for:

Thursday, October 7, 2004, 9:30 a.m.
Betty Easley Conference Center
Commission Hearing Room 152
4075 Esplanade Way
Tallahassee, Florida

The purpose of this prehearing conference will be to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 403.519, Florida Statutes.

APPLICATION

A copy of the Joint Petition for Determination of Need and supporting exhibits is available for public inspection during normal business hours at the following location:

NOTICE OF HEARING AND PREHEARING CONFERENCE
DOCKET NOS. 040766-EI AND 040767-EI
PAGE 5

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
4075 Esplanade Way
Room 110 - Betty Easley Conference Center
Tallahassee, Florida

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. 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).

By DIRECTION of the Florida Public Service Commission this 15th day of August,
2004.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
And Administrative Services

(S E A L)

4075 Espinola Way
Tallahassee, Florida

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the proposed expansion of an electrical cogeneration power plant jointly proposed by Florida Power & Light Company (FPL) and New Hope Power Partnership (New Hope) in Palm Beach County, Florida; and for the requested approval of an associated on-availability energy agreement between New Hope and FPL. This proceeding shall allow FPL and New Hope to present evidence and testimony in support of the joint petition for a determination of need for the proposed plant expansion and the associated agreement to permit any intervenors to present testimony and evidence concerning the matter; to permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 25-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the electrical power plant expansion. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, and whether the proposed plant expansion is the most cost-effective alternative available. In addition, the Commission must expressly consider the conservation measures taken by or reasonably available to the applicants which might mitigate the need for the proposed plant and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the New Hope facility shall create a presumption of public need and necessity and shall serve as the Commission's report required by Subsection 403.517(2)(c), Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the power plant expansion and the associated power purchase agreement will be heard at the October 15, 2004, hearing. Separate public hearings will be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant expansion and associated agreement. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Friday, October 15, 2004. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

Written comments regarding the need for the proposed plant and associated facilities may be sent to the Commission at the following address:

Blanca S. Bayo, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket Nos. 040766-8 and 040767-8

Anyone wishing to become a party to the need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Director of the Commission's Division of Commission Clerk and Administrative Services at the address listed above. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106.106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rules, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

GENERAL LOCATION AND PROJECT DESCRIPTION

This project is an expansion of New Hope's existing, 74.9 megawatt (MW) biomass-fueled Ocala cogeneration plant, that generates electricity and steam from the combustion of biomass fuels. The project is expected to generate between 150,000 megawatt-hours (MWh) and 190,000 MWh of net electrical energy per year, which New Hope will sell at wholesale priority to FPL and to other Florida utilities with responsibility for serving retail customers. New Hope and FPL have executed an associated power purchase agreement pursuant to which New Hope will sell directly pursuant to the project's energy output to FPL at a one percent discount from FPL's provided cost calculated pursuant to Commission Rule 25-17.082(2), Florida Administrative Code, for an initial period of five years with mutual renewal options for up to an additional fifteen years. The project is projected to achieve commercial operation status by June 2006.

PREHEARING CONFERENCE

A prehearing conference for these dockets is scheduled for:

Thursday, October 7, 2004, 9:30 a.m.
Betty Bayley Conference Center
Commission Hearing Room 152
4075 Espinola Way
Tallahassee, Florida

The purpose of this prehearing conference will be to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 403.519, Florida Statutes.

APPLICATION

A copy of the Joint Petition for Determination of Need and supporting exhibits is available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
4075 Espinola Way
Room 110 - Betty Bayley Conference Center
Tallahassee, Florida

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-8770 at least 48 hours prior to the hearing. 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 1-800-955-8777 (TDD).

By DIRECTION of the Florida Public Service Commission this 15th day of August, 2004.

BLANCA S. BAYO, Director
Division of the Commission Clerk
and Administrative Services

Black

RECEIVED-FPSC
04 AUG 13 AM 10:16
COMMISSION
CLERK

PROOF

FOR PROOF CORRECTION, please:

- **FAX CORRECTIONS** by 2:00PM to **820-4671***
Please call 820-4621 AFTER FAXING proof, to confirm the fax was received.
- or **CALL AD SERVICES** by 2:00PM: **820-4621***
- or **CALL** your SALES REP or SALES ASSISTANT by 4:00PM*

* NOTE: WE CANNOT ACCEPT MULTIPLE CALLS or FAXES for a SINGLE PROOF.
After you call in or fax corrections, your proof is immediately processed through our system, and is not readily available for additional calls or faxes. Any additional changes that need to be made MUST BE CALLED IN TO YOUR SALES REP or SALES ASSISTANT.

FOR ALL OTHER ADVERTISING QUESTIONS CALL: 820-4300

850 437118
Kay Flynn

ip_5; Plate 1

Thursday, August 12, 2004 10:25:30 PM

From Karen
Call 820 3106

NO. 750424

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**NOTICE OF HEARING AND PREHEARING CONFERENCE ON PETITION FOR DETERMINATION OF
NEED FOR PROPOSED EXPANSION OF ELECTRICAL COGENERATION POWER PLANT
AND**

PETITION FOR APPROVAL OF AN AS-AVAILABLE ENERGY AGREEMENT

TO
FLORIDA POWER & LIGHT COMPANY
NEW HOPE POWER PARTNERSHIP
AND
ALL OTHER INTERESTED PERSONS

DOCKET NO. 040766-E
PETITION FOR DETERMINATION OF NEED FOR EXPANSION OF AN ELECTRICAL COGENERATION POWER PLANT IN
PALM BEACH COUNTY BY FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP

AND
DOCKET NO. 040767-E
PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

ISSUED: AUGUST 11, 2004

NOTICE is hereby given that the Florida Public Service Commission will hold a hearing in the above docket at the time and place listed below.

Friday, October 15, 2004, 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Exploade Way
Tallahassee, Florida

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the proposed expansion of an electrical cogeneration power plant jointly proposed by Florida Power & Light Company (FPL) and New Hope Power Partnership (New Hope) in Palm Beach County, Florida; and for the requested approval of an associated or ancillary energy agreement between New Hope and FPL. This proceeding shall allow FPL and New Hope to present evidence and testimony in support of the joint petition for a determination of need for the proposed plant expansion and the associated agreement; to permit any intervenors to present testimony and evidence concerning this matter; to permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination of the conclusion of their testimony.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 25-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the electrical power plant expansion. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, and whether the proposed plant expansion is the most cost-effective alternative available. In addition, the Commission must expressly consider the conservation measures taken by or reasonably available to the applicant which might mitigate the need for the proposed plant and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the New Hope facility shall create a presumption of public need and properly and shall serve as the Commission's report required by Subsection 403.507(2)(a)2, Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the power plant expansion and the associated power purchase agreement will be heard at the October 15, 2004, hearing. Separate public hearings will be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant expansion and associated agreement. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Friday, October 15, 2004. All witnesses will be sworn in and will be subject to cross-examination of the conclusion of their testimony.

Written comments regarding the need for the proposed plant and associated facilities may be sent to the Commission at the following address:

Blanca S. Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Tel: DocTel Mail 040744-B and 040767-B

Anyone wishing to become a party to the need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Director of the Commission's Division of Commission Clerk and Administrative Services at the address listed above. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless opposing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106.106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

GENERAL LOCATION AND PROJECT DESCRIPTION

This project is an expansion of New Hope's existing, 74.9 megawatt (MW) biomass-fueled Okeechobee cogeneration plant, that generates electricity and steam from the combustion of biomass fuels. The project is expected to generate between 150,000 megawatt-hours (MWH) and 190,000 MWH of net electrical energy per year, which New Hope will sell of wholesale primarily to FPL and to other Florida utilities with responsibility for serving retail customers. New Hope and FPL have executed an associated power purchase agreement pursuant to which New Hope will sell directly pursuant of the project's energy output to FPL at a one percent discount from FPL's provided cost calculated pursuant to Commission Rule 25-17.08.2(2), Florida Administrative Code, for an initial period of five years with mutual renewal options for up to an additional fifteen years. The project is projected to achieve commercial operation status by June 2006.

PREHEARING CONFERENCE

A prehearing conference for these docket is scheduled for:

Thursday, October 7, 2004, 9:30 a.m.
Betty Easley Conference Center
Commission Hearing Room 152
4075 Espinola Way
Tallahassee, Florida

The purpose of this prehearing conference will be for (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 403.519, Florida Statutes.

APPLICATION

A copy of the Joint Petition for Determination of Need and supporting exhibits is available for public inspection during normal business hours at the following location:

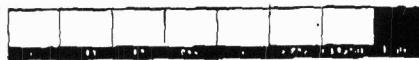
Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
4075 Espinola Way
Room 110 - Betty Easley Conference Center
Tallahassee, Florida

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-5770 at least 48 hours prior to the hearing. 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 1-800-935-8771 (TDD).

By DIRECTION of the Florida Public Service Commission this 15th day of August, 2004.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

Black



MISSION
LEK

PROOF

FOR PROOF CORRECTION, please:

- **FAX CORRECTIONS** by 2:00PM to **820-4671***
Please call 820-4621 AFTER FAXING proof, to confirm the fax was received.
- or **CALL AD SERVICES** by 2:00PM: **820-4621***
- or **CALL** your SALES REP or SALES ASSISTANT by 4:00PM*

* NOTE: WE CANNOT ACCEPT MULTIPLE CALLS or FAXES for a SINGLE PROOF.
After you call in or fax corrections, your proof is immediately processed through our system, and is not readily available for additional calls or faxes. Any additional changes that need to be made MUST BE CALLED IN TO YOUR SALES REP or SALES ASSISTANT.

FOR ALL OTHER ADVERTISING QUESTIONS CALL: 820-4300

850 4:
Kay

tip_5; Plate 1

Thursday, August 12, 2004 10:25:30 PM

From K
del 80

NO. 750424

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING AND PREHEARING CONFERENCE ON PETITION FOR DETERMINATION OF NEED FOR PROPOSED EXPANSION OF ELECTRICAL COGENERATION POWER PLANT

AND

PETITION FOR APPROVAL OF AN AS-AVAILABLE ENERGY AGREEMENT

TO
FLORIDA POWER & LIGHT COMPANY
NEW HOPE POWER PARTNERSHIP
AND
ALL OTHER INTERESTED PERSONS

DOCKET NO. 040766-B
PETITION FOR DETERMINATION OF NEED FOR EXPANSION OF AN ELECTRICAL COGENERATION POWER PLANT IN
PALM BEACH COUNTY BY FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP

AND
DOCKET NO. 040767-B
PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.
ISSUED: AUGUST 13, 2004

NOTICE is hereby given that the Florida Public Service Commission will hold a hearing in the above docket at the time and place listed below.

Friday, October 15, 2004, 9:30 a.m.
Betty Eckley Conference Center, Room 148
4075 Exploade Way
Tallahassee, Florida

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.



BLACK & VEATCH

11401 Lamar Avenue
Overland Park, Kansas 66211 USA

Black & Veatch Corporation
Energy Services Division

Tel: (913) 458-2000

Ms. Hong Wang
Florida Public Service Commission
Bureau of Records
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-7118

August 24, 2004

Dear Ms. Wang:

I would like to be placed on the interested party mailing list for Docket No. 040766-EI – Petition for Determination of Need for Expansion of Electrical Cogeneration Power Plant in Palm Beach County by Florida Power & Light Company and New Hope Power Partnership filed August 4, 2004.

My mailing address is:

Myron Rollins
Black & Veatch
11401 Lamar Avenue
Overland Park, Kansas 66211
(913) 458-7432

COMMISSION
CLERK

AUG 30 AM 10:05

RECEIVED FTSO

Very truly yours,

BLACK & VEATCH CORPORATION

Myron Rollins

MRR/kjh

*Done
08/31/04
KMF*

CCA Official Filing
9/3/2004 9:36 AM*****

Matilda Sanders1

Matilda Sanders

0872-PCD

From: Mary Diskerud
Sent: Friday, September 03, 2004 9:24 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

2 pg

Date and Time: 9/3/2004 9:23:00 AM
Docket Number: 040766-E1
Filename / Path: 040766 Joint Motion.jb.doc
Order Type: Signed / Hand Deliver

RECEIVED - PPSO
SEP - 3 AM 10:52
COMMISSION
CLERK

Copied to gcorders

3/1

Marguerite Lockard

From: Mary Diskerud
Sent: Thursday, September 09, 2004 2:38 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

2 PD

ces ✓ 040767, 040766 - E1

Copied to gcorders

* with
MCD notice of H/E
6/8

Kay Flynn

From: LaSandra Givens
Sent: Wednesday, September 15, 2004 4:48 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 9/15/2004 4:47:00 PM
Docket Number: 040766-EI * 040767-E1
Filename / Path: 040766Issues.jsb.doc
Notice Type: Memo for Issuance

Please issue the above referenced notice of informal meeting to all parties of record and interested persons

4/3



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: October 7, 2004

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

RE: DOCKET NO. 040766-EI & 040767-EI, PREHEARING HELD 10-04-04.

RE: PETITION FOR DETERMINATION OF NEED FOR EXPANSION OF ELECTRICAL COGENERATION POWER PLANT IN PALM BEACH COUNTY BY FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

DOCUMENT NO.: 10686-04, 10/05/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

A handwritten signature in blue ink, appearing to be "JF".

JF/rlm

CCA Official Filing

10/14/2004 3:25 PM*****

Matilda Sanders*1

Matilda Sanders

1000 - P140

From: Janice Banka
Sent: Thursday, October 14, 2004 3:22 PM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

8

Date and Time: 10/14/2004 3:20:00 PM
Docket Number: 040766-EI; 040767-EI
Filename / Path: 040766/prehearing order.jsb.doc
Order Type: Signed / Hand Deliver

RECEIVED PPSC
04 OCT 14 PM 3:28
COMMISSION
CLERK

PREHEARING ORDER.

Number of pages in order - 8.

THIS ORDER NEEDS TO BE ISSUED TODAY PER COMMISSIONER BRADLEY.

I will bring it down in the next few minutes.

Thanks and sorry for any inconvenience. "J"

3/1

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: October 21, 2004

TO: Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

RE: DOCKET NOS. 040766-EI & 040767-EI, HEARING HELD 10-15-04.

RE: PETITION FOR DETERMINATION OF NEED FOR EXPANSION OF AN ELECTRICAL COGENERATION POWER PLANT IN PALM BEACH COUNTY BY FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

DOCUMENT NO.: 11293-04, 10/20/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, CMP

Acknowledged BY:

A handwritten signature in black ink, appearing to be "JF".

JF/rlm

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: October 26, 2004


TO: Blanca Bayó, Director, Commission Clerk and Administrative Services

FROM: Jane Faurot, Chief, Office of Hearing Reporter Services

RE: DOCKET NO. 040766-EI & 040767-EI, HEARING HELD 10/15/04.

Attached for filing are Exhibits 1 through 4, representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:



JF/rlm

CCA Official Filing

11/8/2004 10:08 AM*****

Matilda Sanders1

Matilda Sanders

1105 - Fof

From: PattiZellner
Sent: Monday, November 08, 2004 10:05 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

6

Date and Time: 11/8/2004 10:04:00 AM
Docket Number: 040766 and 040767
Filename / Path: 040766 POST-HEARING jsb.doc

Final Order Granting Determination of Need

4/3

CCA Official Filing

11/18/2004 11:32 AM*****

****Matilda Sanders***1**

Matilda Sanders

1105A-FOF

From: PattiZellner
Sent: Thursday, November 18, 2004 11:19 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 11/18/2004 11:15:00 AM
Docket Number: 040766-EI
Filename / Path: 040766 Amended post-hearing.jsb.doc

AMENDED FINAL ORDER GRANTING DETERMINATION OF NEED

4/3