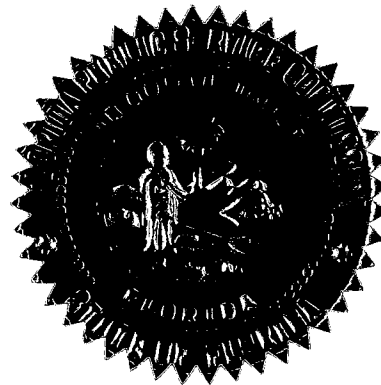


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060220-EC

In the Matter of

PETITION FOR DETERMINATION OF NEED
FOR SEMINOLE GENERATING STATION
UNIT 3 ELECTRICAL POWER PLANT IN
PUTNAM COUNTY, BY SEMINOLE ELECTRIC
COOPERATIVE, INC.



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PROCEEDINGS: PREHEARING

BEFORE: COMMISSIONER ISILIO R. ARRIAGA
 PREHEARING OFFICER

DATE: Tuesday, May 30, 2006

TIME: Commenced at 1:30 p.m.
 Concluded at 1:37 p.m.

PLACE: Betty Easley Conference Center
 Room 148
 4075 Esplanade Way
 Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR
 Official Commission Reporter
 850) 413-6732

1 PARTICIPATING:

2 CHARLES A. GUYTON, ESQUIRE, Squire Sanders & Dempsey,
3 LLP, 215 South Monroe Street, Suite 601, Tallahassee, Florida
4 32301-1804, appearing on behalf of Seminole Electric
5 Cooperative, Inc.

6 MARTHA BROWN, ESQUIRE, FPSC General Counsel's Office,
7 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
8 appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

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2 COMMISSIONER ARRIAGA: We'll call this prehearing to
3 order.

4 Ms. Brown, please read the notice.

5 MS. BROWN: By notice issued March 29th, 2006, this
6 time and place was set for a prehearing conference in Docket
7 Number 060220-EC, petition for determination of need for
8 Seminole Generating Station Unit 3 electrical power plant in
9 Putnam County by Seminole Electric Cooperative.

10 The purpose of the prehearing conference is set out
11 in the notice.

12 COMMISSIONER ARRIAGA: Thank you.

13 We will now take appearances.

14 MR. GUYTON: Commissioner, my name is Charles Guyton,
15 I'm with the law firm of Squire, Sanders and Dempsey, 215 South
16 Monroe Street, Suite 601, Tallahassee, Florida 32301, appearing
17 on behalf of Seminole Electric Cooperative, Inc.

18 COMMISSIONER ARRIAGA: Any other appearances on your
19 part?

20 Staff, please.

21 MS. BROWN: Martha Brown on behalf of the Commission.

22 COMMISSIONER ARRIAGA: Thank you.

23 We will now go into preliminary matters. Ms. Brown,
24 any preliminary matters?

25 MS. BROWN: Not to my knowledge, Commissioner.

1 COMMISSIONER ARRIAGA: Seminole?

2 MR. GUYTON: We have none, Your Honor.

3 MS. BROWN: I would point out to you at this point
4 that it appears that we have proposed stipulations for all of
5 the issues in the case. I just wanted to let you know that.
6 It is reflected in the issue and stipulation sections of the
7 prehearing order.

8 COMMISSIONER ARRIAGA: Thank you.

9 We're going to go through the draft prehearing order.
10 I'll go section-by-section. As I read them out, please
11 indicate if there are any corrections or changes for the
12 record. I'll ask Seminole and then I'll ask staff.

13 Section I, case background.

14 MR. GUYTON: Seminole has no corrections.

15 MS. BROWN: No changes.

16 COMMISSIONER ARRIAGA: Section II, conduct of
17 proceedings.

18 MR. GUYTON: No changes.

19 MS. BROWN: No changes.

20 COMMISSIONER ARRIAGA: Section III, jurisdiction.

21 MR. GUYTON: No changes by Seminole.

22 MS. BROWN: No changes.

23 COMMISSIONER ARRIAGA: Section IV, procedure for
24 handling confidential information.

25 MR. GUYTON: No changes.

1 MS. BROWN: No changes.

2 COMMISSIONER ARRIAGA: Section V, prefiled testimony
3 and exhibits; witnesses.

4 MR. GUYTON: We have no changes.

5 MS. BROWN: No changes, Commissioner.

6 COMMISSIONER ARRIAGA: Section VI, order of
7 witnesses.

8 MR. GUYTON: No changes.

9 MS. BROWN: No changes, Commissioner.

10 COMMISSIONER ARRIAGA: Section VII, basic positions.

11 MR. GUYTON: Seminole has no changes.

12 MS. BROWN: No changes, Commissioner.

13 COMMISSIONER ARRIAGA: Section VIII, issues and
14 positions.

15 MR. GUYTON: Seminole has no changes.

16 MS. BROWN: No changes.

17 COMMISSIONER ARRIAGA: Section IX, exhibit list.

18 MR. GUYTON: Seminole would note that for the first
19 exhibit under the column proffered by Seminole should be
20 included there under the column proffered by.

21 MS. BROWN: I'll make that correction to the
22 prehearing order before you sign it.

23 COMMISSIONER ARRIAGA: Thank you. So noted.

24 MS. BROWN: And, Commissioner, if I might interrupt
25 for a second, I wanted to point out that it appears that all of

1 the issues in the case are stipulated at this point, and I'll
2 make sure that that is reflected in the prehearing order. And
3 in light of that, we think we have a stipulation that the
4 witnesses can be excused from attending the hearing if none of
5 the Commissioners have any questions for them. And I'll find
6 that out and get back to Seminole on that point, I think by the
7 2nd of June.

8 COMMISSIONER ARRIAGA: So that if any Commissioner
9 has a question, Seminole will know beforehand and will provide
10 the witness?

11 MS. BROWN: Yes.

12 MR. GUYTON: But absent that, they would be excused?

13 COMMISSIONER ARRIAGA: Yes.

14 MR. GUYTON: Very good.

15 COMMISSIONER ARRIAGA: Section X, proposed
16 stipulations.

17 MR. GUYTON: We are in accord with staff that we
18 believe that Issues 1 through 6 could be stipulated.

19 MS. BROWN: And staff will see that the final
20 prehearing order reflects that.

21 COMMISSIONER ARRIAGA: Section IX, pending motions.

22 MS. BROWN: I'm not aware of any motions,
23 Commissioner.

24 COMMISSIONER ARRIAGA: Seminole?

25 MR. GUYTON: Nor are we.

1 COMMISSIONER ARRIAGA: Section -- I'm sorry, that was
2 Section XI, not Section IX, for the record.

3 We now go to Section XII, pending confidentiality
4 matters.

5 MR. GUYTON: Seminole has none pending.

6 MS. BROWN: None pending.

7 COMMISSIONER ARRIAGA: Section XIII, post-hearing
8 procedures.

9 MS. BROWN: Commissioner, since it appears that the
10 issues in the case are stipulated, it may be appropriate for
11 the Commission to make a bench decision at the hearing. And in
12 that event, no post-hearing filings would be necessary. But
13 since we won't know that in advance, we'll leave it this way in
14 the prehearing order.

15 COMMISSIONER ARRIAGA: Is Seminole okay?

16 MR. GUYTON: Seminole is of a like mind and would
17 encourage a bench decision if the Commission is so inclined.

18 COMMISSIONER ARRIAGA: We'll decide that at the
19 hearing, correct?

20 MS. BROWN: Yes.

21 COMMISSIONER ARRIAGA: Thank you. Section XIV,
22 rulings.

23 MR. GUYTON: Seminole has no changes.

24 MS. BROWN: No changes.

25 The prehearing officer may want to make a ruling that

1 if a hearing is held, opening statements should not exceed five
2 minutes.

3 COMMISSIONER ARRIAGA: Do you have any objection to
4 that?

5 MR. GUYTON: None at all.

6 COMMISSIONER ARRIAGA: Fine. If that is the case, it
7 will be so ordered, five minutes for the opening statements.

8 Any other matters?

9 MS. BROWN: Not to my knowledge, Commissioner.

10 MR. GUYTON: Seminole has none.

11 COMMISSIONER ARRIAGA: If there are not any other
12 matters to address in this prehearing conference, then we will
13 adjourn the meeting.

14 MR. GUYTON: Very good.

15 MS. BROWN: Thank you, Commissioner.

16 (The prehearing concluded at 1:35 p.m.)

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STATE OF FLORIDA)

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CERTIFICATE OF REPORTER

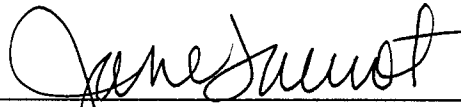
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 31st day of May, 2006.



JANE FAUROT, RPR
Official FPSC Hearings Reporter
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732