

STATE OF FLORIDA

Commissioners:
JOE GARCIA, CHAIRMAN
J. TERRY DEASON
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E. LEON JACOBS, JR.



DIVISION OF RECORDS & REPORTING
BLANCA S. BAYÓ
DIRECTOR
(850) 413-6770

Public Service Commission

January 27, 2000

VIA FAX NO. 863-763-7949

Okeechobee News
Attention: Joy Parrish
P.O. Box 639
Okeechobee, Florida 34973

Re: Publication of notice of hearing in Docket No. 991462-EU

Dear Ms. Parrish:

Enclosed is a notice of rescheduled hearing for publication as a quarter-page display ad in the **Sunday, January 30, 2000**, edition of the *Okeechobee News*.

The **bill** for publication of the notice should be sent to our Division of Administration (ATTN: Fiscal Section) at the address printed below. The **proof of publication** should be sent directly to me.

Please fax a copy of the notice to me for proofing before it is published. My fax number is 850-413-7118.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Kay Flynn".

Kay Flynn, Chief
Bureau of Records

Enclosure

cc: Cochran Keating, Division of Legal Services
Jon Moyle
Schef Wright

DOCUMENT NO. DATE
03539-00 2/16/10
FPSC - COMMISSION CLERK

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

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

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
 NOTICE OF RESCHEDULED NEED DETERMINATION HEARING AND PREHEARING
 CONFERENCE ON PROPOSED ELECTRICAL POWER PLANT
 TO OKEECHOBEE GENERATING COMPANY, L.L.C., FLORIDA POWER CORPORATION,
 TAMPA ELECTRIC COMPANY, DEPARTMENT OF COMMUNITY AFFAIRS,
 DEPARTMENT OF ENVIRONMENTAL REGULATION, LEGAL ENVIRONMENTAL ASSISTANCE
 FOUNDATION, AND ALL OTHER INTERESTED PERSONS
 DOCKET NO. 991462-EU

IN RE: PETITION FOR DETERMINATION OF NEED FOR AN ELECTRICAL POWER PLANT IN
 OKEECHOBEE COUNTY BY OKEECHOBEE GENERATING COMPANY, L.L.C.
 ISSUED: JANUARY 30, 2000

NOTICE is hereby given that the public hearing previously scheduled to be held before the Florida Public Service Commission in the above docket, at the following time and place:

9:30 a.m. Monday, December 6, 1999 • Commission Hearing Room 148 • The Betty Easley Conference Center
 4075 Esplanade Way • Tallahassee, Florida

has been RESCHEDULED. The hearing will commence at:

9:30 a.m. Monday, March 20, 2000 • Commission Hearing Room 148 • The Betty Easley Conference Center
 4075 Esplanade Way • Tallahassee, Florida

Tuesday, March 21, and Wednesday, March 22, 2000, have also been reserved for continuation of this rescheduled hearing, if necessary. The starting time of the next day's session will be announced at the conclusion of the prior day. 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 Monday, March 20, 2000.

Any person requiring some accommodation at the hearing or the prehearing conference because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing or prehearing conference. 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).

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.501-519, Florida Statutes, for the construction of a power plant and related facilities in Okeechobee County, Florida. This proceeding shall allow Okeechobee Generating Company, L.L.C., to present evidence and testimony in support of its petition for a determination of need for its proposed plant and related facilities in Okeechobee County, Florida; 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; Chapter 25-22, Florida Administrative Code; and Chapter 28-106, Florida Administrative Code.

Under section 403.519, Florida Statutes, the Commission is the sole forum for the determination of need for the electrical power plant and associated facilities. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for the adequate electricity at a reasonable cost, and whether the proposed plant is the most cost-effective alternative available. The Commission must also expressly consider the conservation measure taken by or reasonably available to the petitioner which might mitigate the need for the proposed plant, and other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the Okeechobee County facility shall create a presumption of public need and necessity and shall serve as the Commission's report as required by Section 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 and its associated facilities will be heard at the March 20-22, 2000, hearing. Separate public hearings will be held before the Division of Administrative Hearings 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 and associated facilities. All members of the public who wish to offer testimony should be present at the beginning of the hearing. 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 Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard,
 Tallahassee, Florida 32399-0870. RE: Docket No. 991462-EU

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 Records and Reporting 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 proposed electrical power plant is estimated to produce 550 MW of net generating capacity. The proposed plant is to be located north-northeast of Lake Okeechobee, approximately five miles southeast of the City of Okeechobee, in Okeechobee County, Florida. The site is located west of Nubbin Slough on the north side of State Road 710. The proposed unit consists of two combustion turbine generators, two heat recovery steam generators, two steam turbine generators, and associated facilities. The proposed plant is estimated to commence commercial operation in April 2003.

PREHEARING CONFERENCE

The prehearing conference previously scheduled to be held before the Florida Public Service Commission in this docket, at the following time and place:

9:30 a.m. Wednesday, December 1, 1999 • Room 148, The Betty Easley Conference Center • 4075 Esplanade Way • Tallahassee, Florida

had been RESCHEDULED. The prehearing conference will commence at:

2:30 p.m. Friday, March 3, 2000 • Room 152, The Betty Easley Conference Center • 4075 Esplanade Way • Tallahassee, Florida

The purpose of the 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 determination of need is vested in the Commission by Chapter 366 and Section 403.519, Florida Statutes. This proceeding will be governed by the provisions of Chapter 120, Florida Statutes, as well as Chapter 25-22 and Chapter 28-106, Florida Administrative Code.

APPLICATION

A copy of the petition to Determine Need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission • Division of Records and Reporting • Room 110, Betty Easley Conference Center
 4075 Esplanade Way • Tallahassee, Florida

BY DIRECTION of the Florida Public Service Commission, this 30th day of January, 2000

BLANCA S. BAYO, Director
 Division of Records and Reporting

Called
2

Ms. Kay Flynn:

This is your proof of the ad that is scheduled to run on Sunday, January 30th.

Please fax any changes to the Okeechobee News, or call the changes in.

Thank you: Angela Karratti/Joy Parrish.

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BY DIRECTOR of the Florida Public Service Commission, this 30th day of January, 2000.

Blanca S. Bayo
 BLANCA S. BAYO, Director
 Division of Records and Reporting

32399-0870

proceeding

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