

AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice

Calpine Construction Finance Company, L.P.

in the matter of.....

in the.....

Court, was published in said newspaper in the issues of.....
11-12; 2000

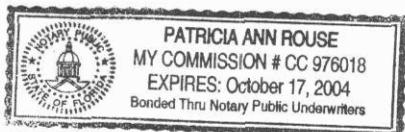
Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

- APP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC I
- SER _____
- OTH Kay

Signed.....
Nelson Kirkland
Nelson Kirkland
Classified Advertising Manager
Who is personally known to me.

Sworn to and subscribed before me this 16TH day of NOVEMBER A.D. 2000

Patricia Ann Rouse
Notary Public
PATRICIA ANN ROUSE



(Seal)

My Commission Expires.....

Attach Notice Here

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
REVISED NOTICE OF NEED DETERMINATION FOR THE CONSTRUCTION OF A POWER PLANT AND RELATED FACILITIES IN POLK COUNTY, FLORIDA
CALPINE CONSTRUCTION FINANCE COMPANY, L.P.
ALL OTHER INTERESTED PARTIES
DC

IN RE: PETITION FOR DETERMINATION OF NEED FOR THE OSPREY ENERGY PROJECT IN POLK COUNTY, FLORIDA

NOTICE is hereby given that the prehearing conference and final hearing are scheduled for:

9:30 a.m., Wednesday, January 3, 2001
Commission Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Thursday, January 4, and Friday, January 5, 2001, have also been reserved for the hearing on the Petition. Parties are urged to be present at the beginning of the hearing on Wednesday, January 3, 2001, at the conclusion of the prior day. The hearing may be adjourned early if all testimony is presented.

Any person requiring some accommodation at the hearing or final hearing should contact the Florida Public Service Commission by using the Florida Relay Service at (850) 413-6770 at least 48 hours prior to the hearing.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take into account the need for the construction of a power plant and related facilities in Polk County, Florida, and the cost of the plant and related facilities, and to determine whether the proposed plant is the most cost effective and practicable alternative. The Commission will also determine whether any intervenors to present testimony and exhibits concerning this matter, and the Commission will provide the opportunity to present testimony concerning this matter. The Commission's determination shall be subject to cross-examination at the conclusion of their testimony.

The proceedings will be governed by the provisions of Chapter 38, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of the need for the proposed plant, and whether the proposed plant is the most cost effective and practicable alternative. The Commission's determination shall constitute final agency action.

Only issues relating to the need for the power plant will be heard by the Commission. All other issues will be heard by the Division of Administrative Hearings on a separate date to consider environmental impacts.

Members of the public who are not parties to the need determination for the proposed plant and associated facilities. All members of the public who wish to be heard at the hearing will be sworn in and will be subject to cross-examination at the hearing.

Written comments regarding the need for the proposed plant should be filed with the Commission by January 10, 2001.

Blanca S. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket No. 000442-EI

Anyone wishing to become a party to the need determination for the proposed plant should file a Petition for Intervention with the Director of the Commission's Division of Records and Reporting by mail to all parties. Those wishing to intervene in these proceedings, unless otherwise determined, must be a qualified representative pursuant to the Commission's rules. Petitions for leave to intervene must be filed at least five (5) days before the hearing and must include allegations sufficient to demonstrate that the intervenor has a legal right or interest in the matter, or that the substantial interests of the public will be affected.

GENERAL LOCATION AND PROJECT DESCRIPTION

The proposed electrical power plant is estimated to produce 520 megawatts of power. The project site is located on approximately 37 miles east of Tampa Bay. The proposed unit consists of a steam turbine generator, that has the ability to utilize steam for power generation. The plant is estimated to commence commercial operation in the second quarter of 2002.

PREHEARING CONFERENCE

The prehearing conference is now scheduled for:

9:30 a.m., Thursday, December 21, 2000
Commission Hearing Room 152
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

The purpose of this prehearing conference will be to: (1) simplify the issues, (2) identify the facts and documents which will avoid the need for a full hearing, and (3) identify other matters which will avoid the need for a full hearing.

JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 38.01, Florida Administrative Code.

APPLICATION

A copy of the Petition for Determination of Need and supporting documents are on file with the Commission at the following location:

Florida Public Service Commission
Division of Records and Reporting
4075 Esplanade Way
Room 104 - Betty Easley Conference Center
Tallahassee, Florida 32399-0850

By DIRECTION of the Florida Public Service Commission this 12th day of December, 2000.

BLANCA S. BAYO, Director
Division of Records and Reporting

(SEAL)
E-743 - 11-12, 2000

DOCUMENT NUMBER-DATE

15495 DEC -4 8

FPSC-RECORDS/REPORTING

Attach Notice Here

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

REVISED NOTICE OF NEED DETERMINATION PROCEEDING ON PROPOSED ELECTRICAL POWER PLANT TO CALPINE CONSTRUCTION FINANCE COMPANY, L.P. AND ALL OTHER INTERESTED PERSONS

DOCKET NO. 000442-EI

IN RE: PETITION FOR DETERMINATION OF NEED FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION FINANCE COMPANY, L.P.

NOTICE is hereby given that the prehearing conference and hearing in this docket have been **rescheduled** as set forth below. The hearing is now scheduled for:

9:30 a.m., Wednesday, January 3, 2001
Commission Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Thursday, January 4, and Friday, January 5, 2001, have also been reserved for continuation of the hearing, if necessary. All persons who wish to be heard are urged to be present at the beginning of the hearing on Wednesday, January 3, 2001. 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.

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 Sections 403.501-519, Florida Statutes, the construction of a power plant and related facilities in Polk County, Florida. This proceeding shall allow Calpine Construction Finance Company, L.P., to present evidence and testimony in support of its petition for a determination of need for its proposed plant and related facilities in Polk 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, and Chapters 25-22 and 28-11 Florida Administrative Code.

Under Section 403.519, 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 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 measures taken by or reasonably available to the applicants or its members which might mitigate the need for the proposed plant and other matters within the jurisdiction which it deems relevant. The Commission's determination of need for the Polk County facility shall create a presumption of public need a 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.

Only issues relating to the need for the power plant will be heard at the January 3-5, 2001, hearing. Separate public hearings will be held before the Division of Administrative Hearings on a separate 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 and associated facilities. All members of the public who wish to offer testimony should be present at the beginning of the hearing. 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 Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket No. 000442-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 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 527 MW of net generating capacity. The proposed plant is to be located in the City of Auburndale, Polk County, Florida. The Project site is located on approximately 19.5 acres situated approximately 1.5 miles southwest of downtown Auburndale and approximately 37 miles east of Tampa Bay. The proposed unit consists of two combustion turbine generators that include duct-firing capability, and one steam turbine generator, that has the ability to utilize steam for power augmentation to increase output, and associated facilities. The proposed plant is estimated to commence commercial operation in the second quarter of 2003.

PREHEARING CONFERENCE

The prehearing conference is now scheduled for:

9:30 a.m., Thursday, December 21, 2000
Commission Hearing Room 152
Betty Easley Conference Center
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 Sections 403.519, Florida Statutes.

APPLICATION

A copy of the 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 Records and Reporting
4075 Esplanade Way
Room 104 - Betty Easley Conference Center
Tallahassee, Florida 32399-0850

By DIRECTION of the Florida Public Service Commission this 12th day of November, 2000.

BLANCA S. BAYO, Director
Division of Records and Reporting

(SEAL)
E-743 - 11-12: 2000

ally appeared Nelson
Classified Advertising
published at Lakeland
copy of advertisement,

pany, L.P.

of

a newspaper published
la, and that the said
published in said Polk
as second class matter
County, Florida, for a
rst publication of the
further says that he has
m or corporation any
he purpose of securing
l newspaper.

land
diverting Manager
nally known to me.

TH
2

), 20 00

Public
N ROUSE

Attach Notice Here

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

REVISED NOTICE OF NEED DETERMINATION PROCEEDING ON PROPOSED ELECTRICAL POWER PLANT

TO
CALPINE CONSTRUCTION FINANCE COMPANY, L.P.
AND
ALL OTHER INTERESTED PERSONS

DOCKET NO. 000442-EI

IN RE: PETITION FOR DETERMINATION OF NEED FOR THE OSPREY ENERGY CENTER BY CALPINE CONSTRUCTION FINANCE COMPANY, L.P.

NOTICE is hereby given that the prehearing conference and hearing in this docket have been **rescheduled** as set forth below. The hearing is now scheduled for:

9:30 a.m., Wednesday, January 3, 2001
Commission Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Thursday, January 4, and Friday, January 5, 2001, have also been reserved for continuation of the hearing, if necessary. All persons who wish to be heard are urged to be present at the beginning of the hearing on Wednesday, January 3, 2001. 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.

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 Sections 403.501-519, Florida Statutes, for the construction of a power plant and related facilities in Polk County, Florida. This proceeding shall allow Calpine Construction Finance Company, L.P., to present evidence and testimony in support of its petition for a determination of need for its proposed plant and related facilities in Polk 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, and Chapters 25-22 and 28-106, Florida Administrative Code.

Under Section 403.519, 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 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 measures taken by or reasonably available to the applicants or its members which might mitigate the need for the proposed plant and other matters within the jurisdiction which it deems relevant. The Commission's determination of need for the Polk County 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.

Only issues relating to the need for the power plant will be heard at the January 3-5, 2001, hearing. Separate public hearings will be held before the Division of Administrative Hearings on a separate 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 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. Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket No. 000442-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 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 527 MW of net generating capacity. The proposed plant is to be located in the City of Auburndale, Polk County, Florida. The Project site is located on approximately 19.5 acres situated approximately 1.5 miles southwest of downtown Auburndale and approximately 37 miles east of Tampa Bay. The proposed unit consists of two combustion turbine generators that include dual-firing capability, and one steam turbine generator, that has the ability to utilize steam for power augmentation to increase output, and associated facilities. The proposed plant is estimated to commence commercial operation in the second quarter of 2003.

PREHEARING CONFERENCE

The prehearing conference is now scheduled for:

9:30 a.m., Thursday, December 21, 2000
Commission Hearing Room 152
Betty Easley Conference Center
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 Sections 403.519, Florida Statutes.

APPLICATION

A copy of the 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 Records and Reporting
4075 Esplanade Way
Room 104 - Betty Easley Conference Center
Tallahassee, Florida 32399-0850

By DIRECTION of the Florida Public Service Commission this 12th day of November, 2000.

BLANCA S. BAYO, Director
Division of Records and Reporting

(SEAL)
E-743 - 11-12; 2000