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TALLAHASSEE FL 32399

001703-EM

REFERENCE: 0464849 001703-EM  
R50985 Before the Florida

State of Florida  
County of Duval

Before the undersigned authority personally appeared Wendy Reynolds who on oath says she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertisement; and affiant further says that he/she 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 said newspaper.

PUBLISHED ON: 12/10

00 DEC 20 AM 8:20  
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FILED ON: 12/12/00 *Wendy Reynolds*

Name: Wendy Reynolds Title: Legal Advertising Representative  
In testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

*Sally W. Rhodes*  
NOTARY



Sally W. Rhodes  
MY COMMISSION # CC684407 EXPIRES  
January 30, 2002  
BONDED THRU TROY FAIN INSURANCE, INC

DOCUMENT NUMBER-DATE

16302 DEC 20 8

FPSC-RECORDS REPORTING

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**  
**NOTICE OF NEED DETERMINATION HEARING AND PREHEARING CONFERENCE ON PROPOSED**  
**ELECTRICAL POWER PLANT**

**TO**  
**JEA**  
**DEPARTMENT OF COMMUNITY AFFAIRS**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**ELECTRIC AND GAS UTILITIES**  
**AND**  
**ALL INTERESTED PERSONS**

**IN RE: DOCKET NO. 001703-EM - PETITION FOR DETERMINATION**  
**OF NEED FOR POWER PLANT IN DUVAL COUNTY BY JEA**

**ISSUED: December 10, 2000**

NOTICE is hereby given that the Florida Public Service Commission will hold a public hearing in the above docket. The time and location of the hearing are listed below. All persons who wish to be heard are urged to be present at the beginning of the hearing on Thursday, February 8, 2001.

February 8 and 9, 2001, 9:30 a.m.  
Commission Hearing Room 148  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The starting time for the second day will be determined at the end of the first day of hearing. Notice is given that the Commission reserves the right to enter a bench decision at the end of the hearing.

Any person requiring some accommodation at the hearing or 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 Duval County, Florida. This proceeding shall: 1) allow JEA to present evidence and testimony in support of their petition for a determination of need for their proposed plant and related facilities in Duval County, Florida; 2) allow any intervenors to present testimony and exhibits concerning this matter; 3) allow members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and, 4) allow 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 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 petitioners 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 Duval 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 February 8 and 9, 2001, 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 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. 001703-EM

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 plant will be located at JEA's Brandy Branch Generating Station near the city of Baldwin in Duval County, Florida. JEA is proposing to convert two of the 173 MW Brandy Branch simple cycle units currently under construction into a combined cycle unit. This conversion will be accomplished by adding two heat recovery steam generators (HRSGs) and one steam turbine generator to be shared by the two HRSGs. The total capacity of the Brandy Branch Generating Station after the proposed conversion will be 692 MW.

**PREHEARING CONFERENCE**

A prehearing conference will be held at the following time and place:

January 22, 2001, 9:30 a.m.  
Commission Hearing Room 152  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The purpose of the prehearing conference will be to consider: (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of exhibits; (5) the establishment of an order of witnesses; and (6) 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 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  
Room 110, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

By Direction of the Florida Public Service Commission this 10th day of December, 2000.

BLANCA S. BAYO, Director  
Division of Records and Reporting

