

# AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

Case No .....

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Sandra Beeler, who on oath says that she is the Inside Sales Supervisor of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice .....

in the matter of Public Service Commission .....

in the .....

Court, was published in said newspaper in the issues of .....

12-17, 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   1
- OPC \_\_\_\_\_
- PAI \_\_\_\_\_
- RGO \_\_\_\_\_
- SEC   1
- SER \_\_\_\_\_
- OTH Adm/ent's

Signed Sandra Beeler  
Sandra Beeler  
Inside Sales Supervisor  
Who is personally known to me.

Sworn to and subscribed before me this 20<sup>TH</sup> .....

day of December ....., A.D. 2000 .....

Patricia Ann Rouse  
Notary Public  
PATRICIA ANN ROUSE



(Seal)  
My Commission Expires .....

Attach Notice Here



DOCUMENT NUMBER - DATE

16007 DEC 26 8

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# NOTICE OF PUBLICATION IN THE LEDGER of Polk County, Florida

## Attach Notice Here

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
**NOTICE OF NEED DETERMINATION HEARING AND PREHEARING CONFERENCE ON  
 PROPOSED ELECTRICAL POWER PLANT  
 TO  
 SEMINOLE ELECTRIC COOPERATIVE, INC.,  
 CALPINE CONSTRUCTION FINANCE COMPANY, L.P.  
 AND  
 ALL OTHER INTERESTED PERSONS  
 DOCKET NO. 001748-EC**

IN RE: PETITION FOR DETERMINATION OF NEED FOR THE OSPREY ENERGY CENTER IN POLK COUNTY BY SEMINOLE ELECTRIC COOPERATIVE AND CALPINE CONSTRUCTION FINANCE COMPANY, L.P.

ISSUED: December 17, 2000

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.

9:30 a.m., Monday, February 12, 2001  
 4075 Esplanade Way  
 Room 148 - Betty Easley Conference Center  
 Tallahassee, Florida

Tuesday, February 13, 2001, has 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 February 12, 2001. The starting time of the next day's session will be announced at the conclusion of the prior day's 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 Statute (1900), for the construction of a power plant and related facilities in Polk County, Florida. This proceeding shall allow Seminole Electric Cooperative, Inc., Calpine Construction Finance Company, L.P. to present evidence and testimony in support of their petition for a determination of need for its proposed plant and related facilities in Polk County, Florida; to permit any intervenor 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 the 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-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 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 create a presumption of public need and necessity and shall serve as the Commission's report required by Subject 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 February 12 and 13, 2001, hearing. Separate public hearings will be held by 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 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 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. 001748-EC

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 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 529 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 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, two matched heat recovery steam generators, and one steam turbine generator. The proposed plant is estimated to commence commercial operation in the second quarter of 2003.

#### **PREHEARING CONFERENCE**

The prehearing conference is scheduled for:

1:30 p.m., Tuesday, January 30, 2001  
 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 110 - Betty Easley Conference Center  
 Tallahassee, Florida

BY DIRECTION of the Florida Public Service Commission this 17th day of December, 2000.

(SEAL)

BLANCA S. BAYO, Director  
 Division of Records and Reporting

E-876 - 12-17-2000

DOCUMENT NUMBER DATE

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