

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF NEED DETERMINATION HEARING AND PREHEARING
ON PROPOSED ELECTRICAL POWER PLANT

TO

FLORIDA POWER & LIGHT CORPORATION
CALPINE EASTERN CORPORATION
CPV CANA, LTD.
SOUTH POND ENERGY PARK, LLC
FLORIDA ACTION COALITION TEAM
OFFICE OF PUBLIC COUNSEL
DEPARTMENT OF COMMUNITY AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ELECTRIC AND GAS UTILITIES

AND

ALL INTERESTED PERSONS

IN RE: DOCKET NO. 020262-EI - PETITION TO DETERMINE NEED FOR
AN ELECTRICAL POWER PLANT IN MARTIN COUNTY BY
FLORIDA POWER & LIGHT COMPANY; AND

DOCKET NO. 020263-EI - PETITION TO DETERMINE NEED FOR
AN ELECTRICAL POWER PLANT IN MANATEE COUNTY BY
FLORIDA POWER & LIGHT COMPANY.

ISSUED: September 3, 2002

NOTICE is hereby given that the Florida Public Service Commission will hold a public hearing in the above dockets. 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 Wednesday, October 2, 2002.

October 2*, 2002, 9:30 a.m.
Commission Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida
*October 3 and 4 are also reserved

DOCUMENT NUMBER-DATE

09295 SEP-3 2002

FPSC-COMMISSION CLERK

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Any person requiring some accommodation at the hearing or prehearing conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services 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 the hearing is to determine the need, pursuant to Sections 403.501-519, Florida Statutes, for the construction of two power plants and related facilities in Martin and Manatee Counties, Florida. This proceeding shall: 1) allow Florida Power & Light to present evidence and testimony in support of its petition for a determination of need for its proposed plants and related facilities in Martin and Manatee Counties, 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, 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 these electrical power plants 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 plants are 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 plants, and other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the Martin and Manatee County facilities shall create a presumption of public need and necessity and shall serve as the Commission's

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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 two power plants and their associated facilities will be heard at the October 2, 2002, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed plants 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 plants and associated facilities. All members of the public who wish to offer testimony shall 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 plants and associated facilities may be sent to the Commission at the following address:

Blanca S Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket Nos. 020262-EI & 020263-EI

Anyone wishing to become a party to the need determination proceeding must file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Director of the Commission's Division of Commission Clerk and Administrative Services at the address listed above. Copies of the petition must be served on all parties of record. 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

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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 DESCRIPTIONS

The proposed electric power plant addition in Martin county is expected to add approximately 789 MW of summer capacity (835 MW winter) at the existing Martin plant site. A map of the Martin site location is included in this petition. Two combustion turbine units, Martin Units 8A and 8B, are in commercial operation at the site and provide approximately 159 MW of summer capacity (182 MW winter). The proposed project consists of two additional combustion turbine generators identical to Martin Units 8A and 8B, four heat recovery steam generators, and a steam turbine. The proposed project will operate as a combined cycle generating unit with a total summer capacity of approximately 1107 MW (1197 MW winter). The anticipated in-service date for the proposed combined cycle unit, known as Martin Unit 8, is June, 2005.

The proposed electric power plant addition in Manatee County is expected to add approximately 1107 MW of summer capacity (1197 MW winter) at the existing Manatee plant site. A map of the Manatee site location is included in this petition. The proposed project consists of four identical combustion turbine generators, four heat recovery generators, and a steam turbine. The proposed project will operate as a combined cycle generating unit. The anticipated in-service date for the proposed combined cycle unit, known as Manatee Unit 3, is June, 2005.

PREHEARING CONFERENCE

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

9:30 a.m., Monday, September 23, 2002
Commission Hearing Room 152
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

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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

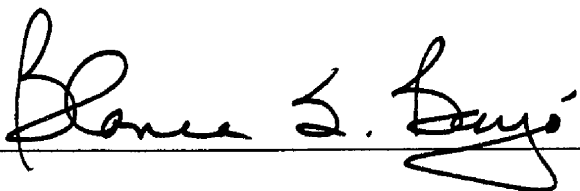
Jurisdiction over this determination of need is vested in the Commission by Chapter 366 and Section 403.519, Florida Statutes. This proceeding will be governed by the provisions of Chapter 120, Florida Statutes, as well as Chapter 25-22 and Chapter 28-106, Florida Administrative Code.

APPLICATION

A copy of the Petition 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 Commission Clerk and Administrative Services
Room 110, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

By DIRECTION of the Florida Public Service Commission this 3rd day of September, 2002.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

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