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## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

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CPV Gulfcoast, Ltd.

vs.

Lila A. Jaber, Chairman, et al.
PSC Docket Nos. 020262-El and 020263-El
Supreme Court Case No. SC03-0066

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Transcript of hearing held October 3, 2002, Volume 4, pages 399 through 542
Transcript of hearing held October 3, 2002, Volume 5, pages 543 through 680
Transcript of hearing held October 3, 2002, Volume 6, pages 681 through 827
Transcript of hearing held October 4, 2002, Volume 7, pages 828 through 1,018

Transcript of hearing held October 4, 2002, Volume 8, pages 1,019 through 1,164

Transcript of hearing held October 4, 2002, Volume 9, pages 1,165 through 1,262

Transcript of hearing held October 4, 2002, Volume 10, pages 1,263 through 1,434 Hearing Exhibit Nos. 1, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, \*36, 37, 38, \*39, 40, 41, 42, 43, and 45 from October 2-4, 2002 Hearing

(Note: Hearing Exhibit Nos. 2, 5, 9, 18, and 44 were not admitted)

(\*Please note these hearing exhibits are confidential documents submitted in a separate sealed envelope marked "CONFIDENTIAL")

DOCUMENTS SUBMITTED IN SEALED ENVELOPE MARKED "CONFIDENTIAL"

FPL's Appendix C-1 to need study for electrical power plant inputs (DN 03342-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-2 to need study for electrical power plant inputs (DN 03343-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-2 to need study for electrical power plant outputs (DN 03344-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-3 to need study for electrical power plant inputs (DN 03345-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-3 to need study for electrical power plant outputs (DN 03346-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-4 to need study for electrical power plant inputs (DN 03347-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-4 to need study for electrical power plant outputs (DN 03348-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-5 to need study for electrical power plant inputs (DN 03349-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-5 to need study for electrical power plant outputs (DN 03350-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-6 to need study for electrical power plant inputs (DN 03351-02), filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)

FPL's Appendix C-6 to need study for electrical power plant outputs (DN 03352-02), filed March 22, 2002 (**Docket Nos. 020262-El and 020263-El)** 

FPL's document No. AST-2 to direct testimony of Alan S. Taylor (DN 03353-02), filed March 22, 2002 (**Docket Nos. 020262-El and 020263-El)** 

FPL's Appendices C-1 through C-7 to need study for Electrical Power Plant 2005-2006 (DN 07402-02), filed July 16, 2002 (Docket Nos. 020262-El and 020263-El)

Memo dated 9/3/02 to GCL/Brown with attached direct testimony of Andrew L. Maurey with Exhibit Nos. ALM-1 through ALM-17 (DN 09294-02), on behalf of Commission, filed September 3, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)

Commission's composite hearing Exhibit No. 36, filed October 8, 2002 (DN 10898-02) (Consolidated Docket Nos. 020262-EI and 020263-EI)

THOMAS D. HALL APR 2 9 2003

CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	)
	) Case No. SC03-0066
VS.	)
	) Volume 2
Lila A. Jaber, Chairman, et al.	. )
Appellees.	)
	)

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

CPV Gulfcoast, Ltd.

VS.

Lila A. Jaber, Chairman, et al.
PSC Docket Nos. 020262-El and 020263-El
Supreme Court Case No. SC03-0066

FILED THOMAS D. HALL

APR 2 9 2003

CPV Gulfcoast, Ltd.,	)	CLERK, SUPREME COURT
Appellant,	)	
VS.	)	Case No. SC03-0066
Lila A. Jaber, Chairman, et al.	) )	Volume 3
Appellees.	) ) )	

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

CPV Gulfcoast, Ltd.

VS.

Lila A. Jaber, Chairman, et al.
PSC Docket Nos. 020262-El and 020263-El
Supreme Court Case No. SC03-0066

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APR 2 9 2003

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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	)
	) Case No. SC03-0066
VS.	)
	) Volume 4
Lila A. Jaber, Chairman, et al.	)
	)
Appellees.	)
	)

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

CPV Gulfcoast, Ltd.

VS.

Lila A. Jaber, Chairman, et al.
PSC Docket Nos. 020262-El and 020263-El
Supreme Court Case No. SC03-0066

Progress Docket (Docket Nos. 020262-El and 020263-El)
Petition for determination of need for an electrical power plant, by Florida Power & Light Company ("FPL"), filed March 22, 2002 (Docket No. 020262-EI)
Petition for determination of need for an electrical power plant, by FPL, filed March 22, 2002 (Docket No. 020263-EI)
Motion to consolidate need determination proceedings, on behalf of FPL, filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)
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APR 2 9 2003

CPV Gulfcoast, Ltd.,	CLERK, SUPREME COURT
Appellant,	)
	) Case No. SC03-0066
VS.	)
	) Volume 5
Lila A. Jaber, Chairman, et al.	)
	)
Appellees.	)
	)

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

FPL's Appendices F-O to need study for electrical power plant 2005-2006, filed March 22, 2002 (Docket Nos. 020262-El and 020263-El)	674
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Notice of commencement of proceeding for determination of need for proposed electrical power plant, issued March 29, 2002 (Docket Nos. 020262-El and 020263-El)	930
Memorandum from Larry D. Harris, Florida Public Service Commission ("Commission"), to all parties of record, interested parties, and Office of the General Counsel advising of April 3, 2002 informal meeting, filed March 29, 2002 (Docket Nos. 020262-El and 020263-El)	932
Reliant Energy Power Generation, Inc.'s ("Reliant") petition to intervene, filed March 29, 2002 (Docket No. 020263-EI)	933
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Memorandum from Larry D. Harris, Commission, to all parties of record, interested parties, and Office of the General Counsel advising of April 10, 2002 informal meeting, filed April 4, 2002 ( <b>Docket Nos. 020262-El and 020263-El</b> )	947
Response of FPL to Reliant's petition for leave to intervene, filed April 5, 2002 (Docket Nos. 020262-El and 020263-El)	948
Petition for leave to intervene, on behalf of Mirant Corporation ("Mirant"), filed April 10, 2002 (Docket No. 020262-El)	956
Petition for leave to intervene, on behalf of Mirant, filed April 10, 2002 (Docket No. 020263-El)	964
Memorandum from Larry D. Harris, Commission, to all parties of record, interested parties, and Office of the General Counsel advising of April 17, 2002 informal meeting and issue identification meeting, filed April 11, 2002	0.70
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THOMAS D. HALL APR 2 9 2003

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CPV Gulfcoast, Ltd.,	CLERK, SUPREME COURT
Appellant,	) Case No. SC03-0066
vs.	)
Lila A. Jaber, Chairman, et al.	) Volume 6
Appellees.	)

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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Petition to intervene of Calpine, filed April 11, 2002 (Docket No. 020263-EI)	1016
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FPL's response to petitions for leave to intervene of CPV Cana, filed April 19, 2002 (Docket Nos. 020262-El and 020263-El)
South Pond Energy Park, LLC's ("South Pond") petition for leave to intervene, filed April 19, 2002 (Docket No. 020262-EI)
South Pond petition for leave to intervene, filed April 19, 2002  (Docket No. 020263-EI)
Response of FPL to joint motion for summary final order of Calpine and Reliant, filed April 22, 2002 (Docket Nos. 020262-El and 020263-El)
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Order PSC-02-0549-CFO-EI granting confidential classification for portions of Appendixes C1 - C6 to the need study document and Exhibit AST-2 to the prefiled testimony of Alan Taylor, issued April 23, 2002 (Docket Nos. 020262-EI and 020263-EI)
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Order PSC-02-0551-PCO-El granting petition to intervene to Calpine, issued April 23, 2002 (Docket No. 020263-El)
Order PSC-02-0552-PCO-El granting petition to intervene to Mirant, issued April 23, 2002 (Docket No. 020262-El)
Order PSC-02-0553-PCO-El granting petition to intervene to Mirant, issued April 23, 2002 (Docket No. 020263-El)
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FPL's response to petitions for leave to intervene of South Pond, filed April 23, 2002 (Docket Nos. 020262-El and 020263-El)
Petition to intervene of CPV Gulfcoast, Ltd. ("CPV Gulfcoast"), filed April 23, 2002 (Docket No. 020263-EI)
Joint motion for entry of order governing handling and disclosure of information asserted to be confidential, on behalf of FPL, Mirant, Calpine, Reliant, South Pond, filed April 23, 2002 (Docket Nos. 020262-El and 020263-El)

THOMAS D. HALL APR 2 9 2003

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CPV Gulfcoast, Ltd.,	CLERK, SUPREME COURT
Appellant,	) Case No. SC03-0066
vs.	)
	) Volume 7
Lila A. Jaber, Chairman, et al.	)
Appellees.	)
	)

### TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT ) BY
Appellant,	
,	) Case No. SC03-0066
VS.	)
	) Volume 8
Lila A. Jaber, Chairman, et al.	)
Appellees.	) )
FF	)

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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) CLERK, SUPREME COURT ) BY
)
) Case No. SC03-0066
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) Volume 9
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# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT ) BY
Appellant,	)
11,000	) Case No. SC03-0066
VS.	)
	) Volume 10
Lila A. Jaber, Chairman, et al.	)
Appellees.	)

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

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CPV Gulfcoast, Ltd.,	)	CLERK, SUPREME COURT BY
Appellant,	)	
	)	Case No. SC03-0066
VS.	)	
	)	Volume 11
Lila A. Jaber, Chairman, et al.	)	
	)	
Appellees.	)	

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

Mirant's notice of withdrawal, filed June 24, 2002 (Docket Nos. 020262-El and 020263-El)
VOLUME 10
Request for leave to amend petition to intervene and amended petition to intervene, on behalf of FACT, filed June 26, 2002 (Docket Nos. 020262-El and 020263-El)
Notice of intent to request confidential classification, on behalf of FPL, filed June 28, 2002 (Docket Nos. 020262-El and 020263-El)
FPL's response to FACT's request for leave to amend petition to intervene and amended petition to intervene, filed July 8, 2002 (Docket Nos. 020262-El and 020263-El)
Order PSC-02-0934-PCO-EI granting amended petition to intervene to FACT, issued July 11, 2002 (Docket Nos. 020262-El and 020263-El)
Order PSC-02-0938-PCO-EI granting amended petition to intervene to CPV Gulfcoast, issued July 12, 2002 (Docket No. 020263-EI)
Memorandum from Larry D. Harris, Commission, to all parties of record, interested parties, and Office of the General Counsel advising of July 24, 2002 informal meeting, filed July 15, 2002 ( <b>Docket Nos. 020262-El and 020263-El</b> ) 1845
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Notice of CPV Gulfcoast's petition for waiver of Rule 25-22.082(8) being voluntarily withdrawn for publication in July 26, 2002 Florida Administrative Weekly, filed July 17, 2002 (Docket Nos. 020262-El and 020263-El)
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THOMAS D. HALL APR 2 9 2003

) CLERK, SUPREME COURT BY
) Case No. SC03-0066
)
) Volume 12
)
) ) )

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

Calpine's notice of withdrawal, filed August 16, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2095
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FPL's motion to compel FACT to respond to FPL's first set of interrogatories (Nos. 1-13) and first request for production of documents (Nos. 1-15), filed August 21, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2116
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PACE's amended petition to intervene, filed August 22, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2297
Consummating Order PSC-02-1155-CO-EI, issued August 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2303
Letter dated August 23, 2002 from FACT to FPL concerning FACT's motion for protective order, filed August 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2305
FACT's motion for protective order; motion for order limiting discovery; and motion for stay in relation to FPL's first request for production of documents and first set of interrogatories, filed August 26, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2307
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[Continuation of] FACT's motion for protective order; motion for order limiting discovery; and motion for stay in relation to FPL's first request for production of documents and first set of interrogatories, filed August 26, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2429
FPL's motion to compel production of documents and answers to interrogatories to CPV Gulfcoast, filed August 27, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2504
	2307

	APR 2 9 2003
CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	) BY
, ippoliant,	) Case No. SC03-0066
VS.	)
Lila A. Jaber, Chairman, et al.	) Volume 13
Appellees.	)

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

Calpine's notice of withdrawal, filed August 16, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2095
FPL's motion to compel intervener's deposition, filed August 21, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2100
FPL's motion to compel FACT to respond to FPL's first set of interrogatories (Nos. 1-13) and first request for production of documents (Nos. 1-15), filed August 21, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2116
Order PSC-02-1150-CFO-EI granting confidential classification for portions of Appendixes C1-C7 to the need study document, issued August 22, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2163
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[Continuation of] Order PSC-02-1150-CFO-EI granting confidential classification for portions of Appendixes C1-C7 to the need study document, issued August 22, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2229
PACE's amended petition to intervene, filed August 22, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2297
Consummating Order PSC-02-1155-CO-EI, issued August 23, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2303
Letter dated August 23, 2002 from FACT to FPL concerning FACT's motion for protective order, filed August 23, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2305
FACT's motion for protective order; motion for order limiting discovery; and motion for stay in relation to FPL's first request for production of documents and first set of interrogatories, filed August 26, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2307
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[Continuation of] FACT's motion for protective order; motion for order limiting discovery; and motion for stay in relation to FPL's first request for production of documents and first set of interrogatories, filed August 26, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2429
FPL's motion to compel production of documents and answers to interrogatories to CPV Gulfcoast, filed August 27, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2504
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CPV Gulfcoast, Ltd.,  Appellant,	) CLERK, SUPREME COURT BY
••	) Case No. SC03-0066
VS.	) Volume 14
Lila A. Jaber, Chairman, et al.	)
Appellees.	) ) )

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

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FPL's notice of taking deposition duces tecum, filed September 11, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)
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CPV Gulfcoast, Ltd.,  Appellant,	) CLERK, SUPREME COURT BY
vs.	) Case No. SC03-0066 ) ) Volume 15
Lila A. Jaber, Chairman, et al.	)
Appellees.	) )

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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CPV Gulfcoast's response to FPL's motion to compel production of documents and answers to interrogatories to CPV Gulfcoast and CPV Gulfcoast's motion for protective order, filed September 4, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2796
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Petition of Thomas P. Twomey and Genevieve E. Twomey ("Twomey") to intervene, filed September 23, 2002 (Consolidated Docket Nos. 020262-El	2265
and 020263-Ei)	3367

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CPV Gulfcoast, Ltd.,	) APR 2 9 2003
Appellant,	) CLERK, SUPREME COURT BY ) Case No. SC03-0066
VS.	) Volume 16
Lila A. Jaber, Chairman, et al.	)
	)
Appellees.	)

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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Order PSC-02-1260-PCO-EI granting motions to compel discovery and denying motion for protective order, motion for order limiting discovery, and motion for stay, issued September 13, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2901
FACT's motion for protective order to full Commission pending resolution of motion for reconsideration, filed September 16, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2908
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Petition of Thomas P. Twomey and Genevieve E. Twomey ("Twomey") to intervene, filed September 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3367
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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	) Case No. SC03-0066
vs.	) Volume 17
Lila A. Jaber, Chairman, et al.	)
Appellees.	)

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

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Order PSC-02-1260-PCO-EI granting motions to compel discovery and denying motion for protective order, motion for order limiting discovery, and motion for stay, issued September 13, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	2901
FACT's motion for protective order to full Commission pending resolution of motion for reconsideration, filed September 16, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2908
Order PSC-02-1268-PCO-El granting motion to remove intervener as a party, issued September 17, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2921
FPL's motion to compel answers to interrogatories and production of documents by PACE, filed September 17, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	2927
VOLUME 16	
FPL's motion for official recognition, filed September 17, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3006
VOLUME 17	
[Continuation of] FPL's motion for official recognition, filed September 17, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3206
Affidavit of publication of notice of October 2-4, 2002 hearing in  The Stuart News, filed September 19, 2002 (Consolidated Docket Nos.  020262-El and 020263-El)	3344
Order PSC-02-1281-PCO-El granting leave to amend petitions for determination of need, issued September 19, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3346
Order PSC-02-1282-PCO-EI granting motion to exclude witnesses, issued September 19, 2002 (Consolidated Docket Nos. 020262-Ei and 020263-Ei)	3348
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CPV Gulfcoast's notice of filing possible exhibits, filed September 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3362
Petition of Thomas P. Twomey and Genevieve E. Twomey ("Twomey") to intervene, filed September 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3367

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FILED THOMAS D. HALL APR 2 9 2003

CPV Gulfcoast, Ltd.,	)	CLERK, SUPREME COURT
Appellant,	) )	Case No. SC03-0066
VS.	)	Volume 18
Lila A. Jaber, Chairman, et al.	)	
Appellees.	)	

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

ATTORNEY FOR APPELLANT

FACT's motion for reconsideration to full Commission, filed September 23, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3371
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Transcript of prehearing conference held September 23, 2002 in Tallahassee, filed September 24, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3391
FPL's motion for summary final order removing FACT as an intervenor party, and FPL's response to FACT's motion to quash subpoena, filed September 24, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3503
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PACE's response to FPL's motion to compel answers to interrogatories and production of documents and motion for protective order, filed September 24, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3628
PACE's request for oral argument, filed September 24, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3643
PACE's objection to FPL's motion for official recognition, filed September 24, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3646
Response in opposition to FPL's motion for official recognition, on behalf of CPV Gulfcoast, filed September 24, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	3650
FPL's notice of intent to use confidential information at hearing, filed September 25, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3656
PACE's motion for official recognition, filed September 25, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3659
FPL's notice of withdrawal of motion to compel answers to interrogatories and production of documents by PACE, filed September 26, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3670
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Petition to intervene, on behalf of Burton Greenfield, Rita Warren, Walter Feinman, Rena Gold, William Berman, Jan Cooper, and Frank and Loralie Strand ("Greenfield et al."), filed September 27, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	3684

THOMAS D. HALL

APR 2 9 2003

CPV Gulfcoast, Ltd.,	CLERK, SUPREME COURT BY
Appellant,	) ) ) Case No. SC03-0066
vs.	) Case No. 3C03-0000 ) Volume 19
Lila A. Jaber, Chairman, et al.	)
Appellees.	, ) )

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301

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THOMAS D. HALL

APR 2 9 2003

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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	)
••	) Case No. SC03-0066
VS.	)
	) Volume 20
Lila A. Jaber, Chairman, et al.	)
	)
Appellees.	)
	)

## TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-EI and 020263-EI

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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Order PSC-02-1314-CFO-EI granting in part and denying in part FPL's motion to compel and CPV Gulfcoast's motion for protective order, issued September 27, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)	3689
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FPL's response to petitions to intervene, filed September 27, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3 <i>7</i> 52
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Notice of substitution of witness and adoption of testimony, on behalf of Commission, filed September 30, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3816
FACT's response to FPL's motion for summary final order, filed October 1, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3819
South Pond's notice of withdrawal, filed October 1, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3823
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CPV Gulfcoast's response to FPL's motion to quash subpoena, filed October 2, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)	3828
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CPV Gulfcoast, Ltd.,	CLERK, SUPREME COURT
Appellant,	)
	) Case No. SC03-0066
vs.	)
	) Volume 21
Lila A. Jaber, Chairman, et al.	)
	)
Appellees.	)
	)

# TRANSCRIPT OF RECORD IN THE MATTER OF:

Petition to determine need for an electrical power plant in Martin County by Florida Power & Light Company

DOCKET NOS. 020262-El and 020263-El

Jon C. Moyle, Esquire Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. 118 North Gadsden Street Tallahassee, Florida 32301 Richard Bellak, Esquire David E. Smith, Esquire Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

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PACE's response to FPL's motion in limine to exclude new testimony by Kenneth J. Slater, filed October 2, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)
Letter dated October 11, 2002 from FPL to Commission forwarding late-filed hearing Exhibit No. 18 and raising objection regarding exhibit, filed October 11, 2002 (Consolidated Docket Nos. 020262-EI and 020263-EI)
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Joint FACT, Twomey, Greenfield, et al. post-hearing statement of issues and positions, proposed findings of fact and conclusions of law and brief, filed October 14, 2002 (Consolidated Docket Nos. 020262-El and 020263-El) 3867
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FPL's response to PACE's motion to strike, filed October 14, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)
Post-hearing statement of issues and positions and post-hearing brief of FIPUG, filed October 14, 2002 (Consolidated Docket Nos. 020262-El and 020263-El) 3928
Brief of PACE, filed October 14, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)
Post-hearing statement, proposed finding of facts and proposed conclusions of law of CPV Gulfcoast, filed October 14, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)
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Order PSC-02-1598-PCO-El granting in part and denying in part PACE's motion to strike, issued November 18, 2002 (Consolidated Docket Nos. 020262-El and 020263-El)

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Order PSC-03-0369-CFO-El granting confidential classification to composite hearing Exhibit No. 36, issued March 18, 2003 (Consolidated Docket Nos. 020262-El and 020263-El)
Certificate of Director, Division of the Commission Clerk and Administrative Services
HEARING TRANSCRIPTS AND HEARING EXHIBITS (Consolidated Docket Nos. 020262-El and 020263-El)
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Transcript of hearing held October 3, 2002, Volume 4, pages 399 through 542
Transcript of hearing held October 3, 2002, Volume 5, pages 543 through 680
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Transcript of hearing held October 4, 2002, Volume 7, pages 828 through 1,018

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CPV Gulfcoast, Ltd.,	) CLERK, SUPREME COURT
Appellant,	) Case No. SC03-0066
Lila A. Jaber, Chairman, et al.	) ) Volume 22 )
Appellees.	) ) )

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DOCKET NOS. 020262-EI and 020263-EI

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Transcript of hearing held October 3, 2002, Volume 5, pages 543 through 680
Transcript of hearing held October 3, 2002, Volume 6, pages 681 through 827
Transcript of hearing held October 4, 2002, Volume 7, pages 828 through 1,018