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THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tracey Diglio, who on oath says that she is **Classified Advertising Supervisor** of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being Notice in the matter of Hearing in the --- Court, was published in said newspaper in the issues of August 15, 2004.

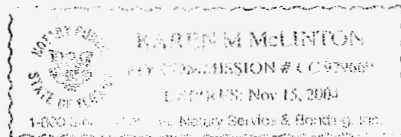
Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/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.

Tracey Diglio

Sworn to and subscribed before this 16th day of August, A.D. 2004

[Signature]

Personally known XX or Produced Identification
Type of Identification Produced _____



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DOCUMENT NUMBER-DATE

09347 AUG 26 2004

BEFORE THE F

NOTICE OF HEARING AND PREHEARING NEED FOR PROPOSED EXPANSION

PETITION FOR APPROVAL

PETITION FOR DETERMINATION
PALM BEACH COUNTY BY

PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE

NOTICE is hereby given that the Florida Public Service Commission will hold a public hearing on the following matter:

Friday, October 15, 2004, 9:30 AM
Betty Easley Conference Center, Room 4075
Esplanade Way, Tallahassee, Florida

All persons who wish to be heard are urged to be present at the hearing.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to determine the need for an expansion of an electrical cogeneration power plant jointly proposed by Florida Power and Light Company and associated as-affected parties and testimony in support of the joint petition for a determination and exhibits concerning this matter; to permit members of the public to be heard and for such other purposes as the Commission may deem appropriate.

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

Under Section 403.519, the Commission is the authority for the electric system and is the most cost-effective alternative available. In addition, the Commission may consider the need for a presumption of public need and necessity of the Commission pursuant to this hearing shall constitute final action.

Only issues relating to the need for the power plant and public hearings will be held before the Division of Administrative Hearings.

Members of the public who are not parties to the expansion and associated agreement. All members of the public who wish to be heard are urged to be present at the hearing. All witnesses will be sworn in and will be subject to cross-examination.

Written comments regarding the need for the expansion should be submitted to the Commission.

Blanca S. Bono, Director
Division of the Commission
Florida Public Service Commission
2540 Shiloh Road, Tallahassee, Florida 32399-1700
Re: Document Nos. 040766-EI

Anyone wishing to become a party to the hearing should file a petition with the Director of the Commission's Division of Administrative Hearings. Those wishing to intervene in these proceedings, unless appointed representative pursuant to Chapter 120, Florida Statutes, and the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, in the proceeding as a matter of constitutional or statutory right affected through the hearing.

GENERAL LOCATION AND PROJECT DESCRIPTION

The project is an expansion of New Hope's biomass fuel combustion facility. The project is expected to generate electricity primarily to FPL and to other Florida utilities pursuant to a long-term purchase power agreement pursuant to which New Hope will sell seventy percent of its output to FPL. The project is currently in commercial operation status by June 2006.

PREHEARING CONFERENCE

A prehearing conference for these dockets is scheduled for:

Thursday, October 7, 2004
Betty Easley Conference Center
Commission Hearing Room
4075 Esplanade Way
Tallahassee, Florida

The purpose of this prehearing conference is to discuss the facts and documents which will avoid unnecessary delay in the disposition of the action.

JURISDICTION

Jurisdiction over this matter is vested in the Commission.

APPLICATION

A copy of the Joint Petition for Determination of Need for the proposed expansion is on file with the Commission.

Florida Public Service Commission
Division of the Commission
4075 Esplanade Way
Room 110 - Betty Easley
Tallahassee, Florida

Any person requiring some accommodation to attend the hearing should call (850) 413-6770 at least 48 hours prior to the hearing. TDD Service, which can be reached at 1-800-955-8771 (TDD).

DIRECTOR of the Florida Public Service Commission

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF HEARING AND PREHEARING CONFERENCE ON PETITION FOR DETERMINATION OF NEED FOR PROPOSED EXPANSION OF ELECTRICAL COGENERATION POWER PLANT**AND****PETITION FOR APPROVAL OF AN AS-AVAILABLE ENERGY AGREEMENT**TO
FLORIDA POWER & LIGHT COMPANY
NEW HOPE POWER PARTNERSHIP
ANDALL OTHER INTERESTED PERSONS
DOCKET NO. 040766-EIPETITION FOR DETERMINATION OF NEED FOR EXPANSION OF AN ELECTRICAL COGENERATION POWER PLANT IN
PALM BEACH COUNTY BY FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP
AND

DOCKET NO. 040767-EI

PETITION FOR APPROVAL OF AS-AVAILABLE ENERGY PURCHASE AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY AND NEW HOPE POWER PARTNERSHIP.

ISSUED: AUGUST 15, 2004

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.

Friday, October 15, 2004, 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

All persons who wish to be heard are urged to be present at the beginning of the hearing on October 15, 2004. The hearing may be adjourned early if all testimony is concluded.

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for the proposed expansion of an electrical cogeneration power plant jointly proposed by Florida Power & Light Company (FPL) and New Hope Power Partnership (New Hope) in Palm Beach County, Florida; and for the requested approval of an associated as-available energy agreement between New Hope and FPL. This proceeding shall allow FPL and New Hope to present evidence and testimony in support of the joint petition for a determination of need for the proposed plant expansion and the associated agreement; 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 25-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the electrical power plant expansion. 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 expansion is the most cost-effective alternative available. In addition, the Commission must expressly consider the conservation measures taken by or reasonably available to the applicants which might mitigate the need for the proposed plant and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the New Hope 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 expansion and the associated power purchase agreement will be heard at the October 15, 2004, hearing. Separate public hearings will be held before 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 expansion and associated agreement. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Friday, October 15, 2004. 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 the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0870
Re: Docket Nos. 040766-EI and 040767-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 Commission Clerk and Administrative Services 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 project is an expansion of New Hope's existing, 74.9 megawatt (MW) biomass-fueled Okeelanta cogeneration plant; that generates electricity and steam from the combustion of biomass fuels. The project is expected to generate between 150,000 megawatt-hours (MWH) and 190,000 MWH of net electrical energy per year, which New Hope will sell at wholesale primarily to FPL and to other Florida utilities with responsibility for serving retail customers. New Hope and FPL have executed an associated power purchase agreement pursuant to which New Hope will sell seventy percent of the project's energy output to FPL at a one percent discount from FPL's avoided cost calculated pursuant to Commission Rule 25-17.0825(2), Florida Administrative Code, for an initial period of five years with mutual renewal options for up to an additional fifteen years. The project is projected to achieve commercial operation status by June 2006.

PREHEARING CONFERENCE

A prehearing conference for these dockets is scheduled for:

Thursday, October 7, 2004, 9:30 a.m.
Betty Easley Conference Center
Commission Hearing Room 152
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 Section 403.519, Florida Statutes.

APPLICATION

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

Any person requiring some accommodation at this hearing 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. 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).

By DIRECTION of the Florida Public Service Commission this 15th day of August, 2004.

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