

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

# Public Service Commission

November 3, 2004

Bonnie E. Davis, Esquire  
Progress Energy Florida, Inc.  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301-7740

FPSC, CLK - CORRESPONDENCE  
✓ Administrative Parties Consumer  
DOCUMENT NO. 14806-04  
DISTRIBUTION: \_\_\_\_\_

**Re: Docket No. 0040817-EI - Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.**

Dear Ms. Davis:

Pursuant to your request at today's hearing, staff has provided for you copies of Confidential Document Nos. 10538-04, 10984-04, and 11125-04. The documents are enclosed.

Please sign on the line below to indicate receipt of these Confidential Documents.

Sincerely,

Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Dr. Mary Bane  
Blanca Bayó  
Cochran Keating  
Judy Harlow  
Parties of Record

Received by Katrin C. Cochran Date 11/4/04 7:57am

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

Public Service Commission

December 13, 2004

FPSC, CLK - CORRESPONDENCE  
Administrative Parties Consumer  
DOCUMENT NO. 14806-04  
DISTRIBUTION:

John Burnett, Esquire  
Carlton Fields, P.A.  
4221 West Boy Scout Boulevard  
Tampa, Florida 33607

**Re: Docket No. 040817-EI - Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.**

Dear Mr. Burnett:

Pursuant to your December 1, 2004 e-mail request to Cochran Keating and approval from the Commission Executive Director's office, enclosed is a copy of Confidential Document No. 12193-04. This document is Composite Hearing Exhibit 3, which consists of Progress Energy's responses to staff discovery.


Please sign on the line below to indicate receipt of these Confidential Documents.

Sincerely,

Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Dr. Mary Bane  
Blanca Bayó  
Cochran Keating  
Judy Harlow  
Parties of Record

Received by  Date 12/14/04

State of Florida



14806-04  
trash

# Public Service Commission

CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

FPSC, CLK - CORRESPONDENCE

Administrative  Parties  Consumer

DOCUMENT NO. 14806-04

DISTRIBUTION: \_\_\_\_\_

**DATE:** Decembe

**TO:** Mary Ann \_\_\_\_\_ Director

**FROM:** Kay B. Flynn, Chief of Records, Division of the Commission Clerk & Administrative Services *14*

**RE:** Docket No. 040817-EI - Need determination for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

Permission is requested to provide one copy of confidential Document No. 12193-04 (Composite Hearing Exhibit 3, consisting of Progress Energy's responses to staff discovery) for John Burnett, Carlton Fields law firm, attorney for Progress Energy.

Please see the attached e-mail from Cochran Keating forwarding Mr. Burnett's request for the copy.

Attachment

cc: Blanca S. Bayó  
Cochran Keating

*Approved,  
MAB  
12/1/04*



**Kay Flynn**

---

**From:** Cochran Keating  
**Sent:** Monday, December 06, 2004 5:07 PM  
**To:** Kay Flynn  
**Subject:** FW: Hines IV-PSC Docket No. 040817-EI

Kay,

Please see the e-mail below. The attorneys for Progress Energy Florida in Docket No. 040817-EI would like to get a copy of staff's composite hearing exhibit consisting of Progress' confidential responses to staff discovery in the docket (Hearing Exhibit No. 3 - DN 12193-04). Please let me know if you need any more information to process this request.

Thanks,  
Cochran

---

**From:** Burnett, John [mailto:JBurnett@CarltonFields.com]  
**Sent:** Wednesday, December 01, 2004 2:11 PM  
**To:** Cochran Keating  
**Cc:** Walls, J. Michael  
**Subject:** Hines IV-PSC Docket No. 040817-EI

**Cochran:**

**Mike Walls mentioned to me that at the final hearing in Tallahassee in the need proceeding for Hines IV, there was a set of exhibits (some confidential) that Staff used and introduced into the record. Is there any way that I can send someone in our Tallahassee office over to get a copy of those exhibits? Mike thought that you may have an extra copy, so I wanted to check with you and see. Thanks for any information that you can give me, John.**

**John Burnett**

Carlton Fields, P.A.

4221 W. Boy Scout Boulevard

Tampa, Florida 33607

(813) 223-7000

(813) 229-4251 direct

(813) 229-4133 fax

email: jburnett@carltonfields.com



State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-** PUBLIC CORRESPONDENCE

Administrative Parties Consumer

DOCUMENT NO. 14806-04

DISTRIBUTION: -

**DATE:** November 1, 2004

**TO:** Mary A. Bane, Executive Director *MB*

**FROM:** Judy G. Harlow, Economic Analyst, Division of Economic Regulation *JGH*

**RE:** Request to Make Copies of Confidential Documents for the November 3, 2004 Hearing in Docket No. 040817-EI, Petition for Determination of Need for Electrical Power Plant in Polk County by Progress Energy Florida *JGH*

Consistent with APM 11.04-20, I request permission to make eight copies of portions of the confidential information contained in Confidential Documents No. 10538-04 and No. 10984-04 for use in staff's exhibit at the November 3, 2004 hearing in Docket No. 040817-EI, Petition for Determination of Need for Electrical Power Plant in Polk County by Progress Energy Florida. Documents No. 10538-04 and No. 10984-04 contain Progress Energy's responses to staff's interrogatories and requests for production of documents. Copies are being reproduced for the five Commissioners, the court reporter, staff and the Company.

JGH: kb

*Only 3 copies made by Staff.*

- 1 = shred*
- 1 = hrg exh*
- 1 = to Progress*

*Approved.*  
*MB*  
*11/1/04*

*< 3 DNS = hrg. Exh. #3 >*

RECEIVED -PSC  
04 NOV -3 PM 2:41  
COMMISSION  
CLERK

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**  
FPSC, CLK - CORRESPONDENCE

Administrative Parties Consumer

---

**DATE:** November 2, 2004  
**TO:** Mary A. Bane, Executive Director  
**FROM:** Wayne Makin, Division of Competitive Markets and Enforcement  
**RE:** Request to Make Copies of Confidential Documents for the November 3, 2004 Hearing in Docket No. 040817-EI, Petition for Determination of Need for Electrical Power Plant in Polk County by Progress Energy Florida

---

DOCUMENT NO. 14806-04

DISTRIBUTION: \_\_\_\_\_

*Handwritten signatures and initials in blue and red ink.*

Consistent with APM 11.04-20, I request permission to make seven copies of portions of the confidential information contained in Confidential Documents No. 11125-04 for use in staff's exhibit at the November 3, 2004 hearing in Docket No. 040817-EI, Petition for Determination of Need for Electrical Power Plant in Polk County by Progress Energy Florida. Document No. 11125-04 contains Progress Energy's responses to staff's interrogatories and requests for production of documents. Copies are being reproduced for the five Commissioners, the court reporter, and the Company.

WM: kb  
cc: Judy Harlow

*Approved  
MBB  
11/2/04*

RECEIVED: JNSC  
NOV - 3 PM 2:41  
COMMISSION  
CLERK

Section 1 - Bureau of Records Complet

Docket No. 040817-EI Date Docketed: 08/05/2004 Title: Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

Company: Progress Energy Florida, Inc.

Official Filing Date: \_\_\_\_\_  
 Last Day to Suspend: \_\_\_\_\_  
 Referred to: \_\_\_\_\_  
 ("C)" indicates OPR)

Expiration: \_\_\_\_\_

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
		X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B2(a)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
 IT IS TENTATIVE AND SUBJECT TO REVISION.  
 FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff

Staff Counsel

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission \_\_\_\_\_ Commission Panel \_\_\_\_\_  
 Hearing Examiner \_\_\_\_\_ Staff \_\_\_\_\_

Date filed with CCA: \_\_\_\_\_

Initials: OPR \_\_\_\_\_  
 Staff Counsel \_\_\_\_\_

	0 Current CASR revision level	Due Dates	
		Previous	Current
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Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg	Staff
ALL	BZ	DS	JB	BD	DV	Exam	

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.  
 Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: \_\_\_\_\_ *14806-04*  
 Date: \_\_\_\_\_

Section 1 - Bureau of Records Complete

Docket No. 040817-EI Date Docketed: 08/05/2004 Title: Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

Company: Progress Energy Florida, Inc.

Official Filing Date:

Expiration:

Last Day to Suspend:

Referred to:

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
	X	X		X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B2(a)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff	Staff Assignments	0	Current CASR revision level	Due Dates	
				Previous	Current
	<u>J Harlow, T Bohrmann</u>				
	<u>C Hewitt, A Maurey</u>				
	<u>J McRoy, P Stallcup</u>				
		1.	<u>Order Establishing Procedure</u>	NONE	<u>08/19/2004</u>
		2.	<u>FAW Notice Filed For Prehearing &amp; Hearing</u>	NONE	<u>09/14/2004</u>
		3.	<u>Notice of Prehearing and Hearing</u>	NONE	<u>09/14/2004</u>
		4.	<u>Testimony - Intervenor</u>	NONE	<u>09/16/2004</u>
		5.	<u>Publication of Newspaper Notice</u>	NONE	<u>09/19/2004</u>
		6.	<u>Testimony - Staff</u>	NONE	<u>09/30/2004</u>
		7.	<u>Testimony - Rebuttal</u>	NONE	<u>10/11/2004</u>
Staff Counsel	<u>C Keating</u>	8.	<u>Prehearing Statements</u>	NONE	<u>10/11/2004</u>
		9.	<u>Draft Prehearing Order</u>	NONE	<u>10/14/2004</u>
		10.	<u>Prehearing</u>	NONE	<u>10/18/2004</u>
OCRs (CMP)	<u>C Bulecza-Banks, W Makin</u>	11.	<u>Transcript of Prehearing Due</u>	NONE	<u>10/22/2004</u>
OCRs		12.	<u>Prehearing Order</u>	NONE	<u>10/27/2004</u>
		13.	<u>Hearing (11/3 &amp; 4/04)</u>	NONE	<u>11/03/2004</u>
		14.	<u>Transcript of Hearing Due</u>	NONE	<u>11/08/2004</u>
		15.	<u>Briefs Due</u>	NONE	<u>11/12/2004</u>
		16.	<u>Staff Recommendation</u>	NONE	<u>11/24/2004</u>
		17.	<u>Agenda</u>	NONE	<u>12/07/2004</u>
		18.	<u>Standard Order</u>	NONE	<u>12/27/2004</u>
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
Hearing Examiner  Staff

Date filed with CCA: 08/24/2004

Initials: OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

- Prehearing Officer *CSRA*

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		
X							

Commissioners					ADM
BZ	DS	JB	BD	DV	
			X		

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: *BBI/Rmr*  
Date: 08/24/2004

# Case Scheduling/Rescheduling Advice

Last Revised 09/01/2004 at 15:36

Page 1 of 1

Printed on 09/01/2004 at 15:46

**To:**

<input checked="" type="checkbox"/> Commissioner Deason	<input checked="" type="checkbox"/> Deputy Executive Director/EXA	<input checked="" type="checkbox"/> Economic Regulation Director
<input checked="" type="checkbox"/> Commissioner Jaber	<input checked="" type="checkbox"/> General Counsel Director	<input type="checkbox"/> External Affairs Director
<input checked="" type="checkbox"/> Commissioner Bradley	<input type="checkbox"/> Auditing & Safety Director	<input checked="" type="checkbox"/> Court Reporter
<input checked="" type="checkbox"/> Commissioner Davidson	<input checked="" type="checkbox"/> Comm. Clerk & ADM Services	<input checked="" type="checkbox"/> Staff Contact - Cochran Keating
<input checked="" type="checkbox"/> Executive Director	<input checked="" type="checkbox"/> Competitive Markets/Enforcement	<input type="checkbox"/>
<input checked="" type="checkbox"/> Public Information Officer	<input checked="" type="checkbox"/> Consumer Affairs Director	<input type="checkbox"/>

**From:** Office of Chairman Braulio Baez

**Docket Number:** 040817-EI

**Docket Title:** Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

**1. Schedule Information**

Event	Former Date	New Date	Location	Time
Prehearing Conference		10/18/2004	Tallahassee, Room 152	9:30 AM - 11:00 AM
Hearing		11/03/2004	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing		11/04/2004	Tallahassee, Room 148	9:30 AM - 5:00 PM

**2. Hearing/Prehearing Assignment Information**

Former Assignments

Current Assignments

**Hearing Officers**

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
X							

**Prehearing Officer**

Commissioners						
BZ	DS	JB	BD	DV	ADM	

Commissioners						
BZ	DS	JB	BD	DV	ADM	
			X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

**Remarks:** OEP PSC-04-0808-PCO-EI issued 8/19/04.



# Case Scheduling/Rescheduling Advice

Last Revised 10/04/2004 at 10:37

Page 1 of 1

Printed on 10/04/2004 at 10:42

To:  Commissioner Deason       Deputy Executive Director/EXA       Economic Regulation Director  
 Commissioner Jaber       General Counsel Director       External Affairs Director  
 Commissioner Bradley       Auditing & Safety Director       Court Reporter  
 Commissioner Davidson       Comm. Clerk & ADM Services       Staff Contact - Cochran Keating  
 Executive Director       Competitive Markets/Enforcement  
 Public Information Officer       Consumer Affairs Director     

From: Office of Chairman Braulio Baez

Docket Number: 040817-EI

Docket Title: Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

## 1. Schedule Information

Event	Former Date	New Date	Location	Time
Hearing		11/03/2004	Tallahassee, Room 148	9:30 AM - 5:00 PM
Hearing	11/04/2004	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM

## 2. Hearing/Prehearing Assignment Information

### Former Assignments

#### Hearing Officers

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

### Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
X							

#### Prehearing Officer

Commissioners						
BZ	DS	JB	BD	DV	ADM	

Commissioners						
BZ	DS	JB	BD	DV	ADM	
			X			

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

Remarks:

# Case Scheduling/Rescheduling Advice

Last Revised 11/01/2004 at 10:46

Page 1 of 1

Printed on 11/01/2004 at 10:48

**To:**  Commissioner Deason       Deputy Executive Director/EXA       Economic Regulation Director  
 Commissioner Jaber       General Counsel Director       External Affairs Director  
 Commissioner Bradley       Auditing & Safety Director       Court Reporter  
 Commissioner Davidson       Comm. Clerk & ADM Services       Staff Contact - Cochran Keating  
 Executive Director       Competitive Markets/Enforcement        
 Public Information Officer       Consumer Affairs Director     

**From:** Office of Chairman Braulio Baez

**Docket Number:** 040817-EI

**Docket Title:** Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

**1. Schedule Information**

Event	Former Date	New Date	Location	Time
Hearing		11/03/2004	Tallahassee, Room 148	10:30 AM - 5:00 PM
Hearing	11/04/2004	Cancelled	Tallahassee, Room 148	9:30 AM - 5:00 PM

**2. Hearing/Prehearing Assignment Information**

Former Assignments

**Hearing Officers**

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		

Current Assignments

Commissioners						Hearing Exam.	Staff
ALL	BZ	DS	JB	BD	DV		
X							

**Prehearing Officer**

Commissioners					
BZ	DS	JB	BD	DV	ADM

Commissioners					
BZ	DS	JB	BD	DV	ADM
			X		

Reason for Revision: A. New Assignment 1. Unavailability 2. Good Cause 3. Recused 4. Disqualified 5. See Remarks

**Remarks:** Start time change only.

Section 1 - Bureau of Records Complete:

Docket No. 040817-EI Date Docketed: 08/05/2004 Title: Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.

Company: Progress Energy Florida, Inc.

Official Filing Date: \_\_\_\_\_ Expiration: \_\_\_\_\_

Last Day to Suspend: \_\_\_\_\_

Referred to:

("()") indicates OPR)

CCA	CMP	(ECR)	FLL	GCL	MMS	PIF	RCA	SCR
	X	X		X				

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module B2(a)

**WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT  
IT IS TENTATIVE AND SUBJECT TO REVISION.  
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770**

Staff Assignments

OPR Staff	Staff Assignments	1	Due Dates	
			Previous	Current
	J Harlow, T Bohrmann			
	C Hewitt, A Maurey			
	J McRoy, P Stallcup			
		1.	Testimony - Intervenor	SAME 09/16/2004
		2.	Testimony - Staff	SAME 09/30/2004
		3.	Testimony - Rebuttal	SAME 10/11/2004
		4.	Draft Prehearing Order	SAME 10/14/2004
		5.	Close Docket	NONE 12/23/2004
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		7.		
Staff Counsel	C Keating	8.		
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		10.		
OCRs (CMP)	C Bulecza-Banks, W Makin	11.		
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Recommended assignments for hearing and/or deciding this case:

Full Commission  Commission Panel   
Hearing  Staff

Date filed with CCA: 11/23/2004

Initials OPR \_\_\_\_\_  
Staff Counsel \_\_\_\_\_

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		
X							

Prehearing Officer

Commissioners					ADM
BZ	DS	BD	DV	ED	
		X			

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: BB/Ans  
Date: Pending 12/08/04

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION  
CLERK & ADMINISTRATIVE  
SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

## Public Service Commission

August 6, 2004

Gary Sasso, Esquire  
Carlton Fields  
Post Office Box 3239  
Tampa, Florida 33607-5736

**Re: Docket No. 040817-EI**

Dear Mr. Sasso:

This will acknowledge receipt of a petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc., which was filed in this office on August 5, 2004, and assigned the above-referenced docket number. Appropriate staff members will be advised.

Mediation may be available to resolve any dispute in this docket. If mediation is conducted, it does not affect a substantially interested person's right to an administrative hearing. For more information, contact the Office of General Counsel at (850) 413-6248 or FAX (850) 413-7180.

Bureau of Records

Cc: James A. McGee, Esquire, PEF

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STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

# Public Service Commission

## ACKNOWLEDGMENT

DATE: 8.5.04

TO: Clay Carson

FROM: Thermy, Division of the Commission Clerk and  
Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

08522-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

NEW - 040817-EI or (if filed in an undocketed matter) concerning \_\_\_\_\_

Appendix J to Need Study, and

filed on behalf of Progress Energy/Carson. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action/Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)



Matilda Sanders

---

From: Carolyn Craig  
Sent: Thursday, August 19, 2004 11:03 AM  
To: CCA - Orders / Notices  
Subject: Order / Notice Submitted

2 page

Date and Time: 8/19/2004 11:02:00 AM  
Docket Number: 040817-EI  
Filename / Path: 040817notice-comm.wck.doc CCS ✓

Notice of Commencement of Proceeding for Determination of Need for Proposed Electrical Power Plant

Electric  
105/7  
\_\_\_\_\_

MCD NH/E.  
\_\_\_\_\_  
6216

CCA Official Filing

8/19/2004 9:24 AM\*\*\*\*\*

\*\*\*\*\*

**\*\*Matilda Sanders\*\*1**

RECEIVED-TPSC

**Matilda Sanders**

0808-PC0

AUG 19 AM 10:33

**From:** Mary Diskerud  
**Sent:** Thursday, August 19, 2004 9:20 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

7

COMMISSION  
CLERK

**Date and Time:** 8/19/2004 9:19:00 AM  
**Docket Number:** 040817-EI  
**Filename / Path:** 040817oep.wck.doc  
**Order Type:** Signed / Hand Deliver

Copeid to gcorders

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# BLACK & VEATCH

11401 Lamar Avenue  
Overland Park, Kansas 66211 USA

Black & Veatch Corporation  
Energy Services Division

Tel: (913) 458-2000

Ms. Hong Wang  
Florida Public Service Commission  
Bureau of Records  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-7118

August 24, 2004

Dear Ms. Wang:

I would like to be placed on the interested party mailing list for Docket No. 040817-EI – Petition for Determination of Need for Hines 4 Power Plant in Polk County by Progress Energy Florida, Inc. filed August 5, 2004.

My mailing address is:

Myron Rollins  
Black & Veatch  
11401 Lamar Avenue  
Overland Park, Kansas 66211  
(913) 458-7432

Very truly yours,

BLACK & VEATCH CORPORATION

Myron Rollins

RECEIVED FISC  
AUG 30 AM 10:05  
COMMISSION  
CLERK

MRR/kjh

*Done  
08/31/04  
Kamp*

**\*\*CCA OFFICIAL DOCUMENT...\*\*b>**

**Kimberley Pena**

040817-EI

**From:** Jim Newman  
**Sent:** Thursday, September 02, 2004 1:42 PM  
**To:** Kimberley Pena  
**Subject:** FW: Other

**Can you help me out with this, I believe it needs to be updated in CMS. I am not sure who is responsible for this kind of thing though. See below.**

**Thanks**

**-----Original Message-----**

**From:** Rhonda Hicks  
**Sent:** Friday, August 27, 2004 10:21 AM  
**To:** PSC Internet Submission  
**Subject:** FW: Other

DN 08519-04 reflected  
(727) area code.  
Info updated: kmp

**Please see below.**

**-----Original Message-----**

**From:** Ruth McHargue  
**Sent:** Friday, August 27, 2004 8:56 AM  
**To:** Rhonda Hicks  
**Subject:** FW: Other

**Please advise**

**-----Original Message-----**

**From:** Consumer Contact  
**Sent:** Friday, August 27, 2004 8:32 AM  
**To:** Ruth McHargue  
**Subject:** FW: Other

**Please advise. ECR or Webmaster?**

**-----Original Message-----**

**From:** Consumer Contact  
**Sent:** Friday, August 27, 2004 8:34 AM  
**To:** Consumer Contact  
**Subject:** Other

**August 27, 2004**

Done  
08/03/04  
kmp ✓

**\*\*CCA OFFICIAL DOCUMENT...\*\***

**Contact Information:**

**Name: Jeanne Costello**

**Company: Carlton Fields**

**Primary Phone: (813) 223-7000**

**Secondary Phone:**

**E-mail: jcostello@carltonfields.com**

**Comments:**

**Electric Docket No. 040817-EI / Progress Energy Hines 4**

**Good morning,**

**On your website our telephone number is listed with the (727) area code, could that be corrected to reflect the correct area code of (813) and Fields in our firm listing for Gary Sasso/Walls/Burnett is misspelled with the "e" before the "l".**

**Please let me know if we need to enter a formal request of some type. Thanks.**

**Yes, I wish to be contacted**

**For PSC Webmaster Use Only:**

**Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; .NET CLR 1.1.4322)**

**[http://www.floridapsc.com/contact/contact\\_form/contactform.cfm](http://www.floridapsc.com/contact/contact_form/contactform.cfm)**

**[www.floridapsc.com](http://www.floridapsc.com)**



**Matilda Sanders**

---

**From:** Janice Banka  
**Sent:** Monday, September 13, 2004 12:08 PM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

*f*

**Date and Time:** 9/13/2004 12:07:00 PM  
**Docket Number:** 040817-EI  
**Filename / Path:** 040817/040817hrnotice.wck.doc  
**Notice Type:** Prehearing/Hearing

Notice of Hearing and Prehearing Conference.

Number of pages in Notice - 4.

*CCS ✓*

*62/7*

KAY IS WAITING ON THIS NOTICE.

Thanks "J"

*220*

Kay Flynn

040817-EJ

**From:** Kay Flynn  
**Sent:** Monday, September 13, 2004 12:32 PM  
**To:** 'legalads@theledger.com'  
**Cc:** Marian Ellis; Carol Purvis; Lee Fulcher; Cochran Keating; Janice Banka  
**Subject:** Notice for publication in Lakeland Ledger on Thursday 9/16/04



040817needde  
mination.doc (E

To: Patti Rouse, Legal Ads  
From: Kay Flynn, FPSC

Patti,

Per our conversation, I have attached a notice to be published as a quarter-page ad in the Thursday, 9/16/04 edition of The Lakeland Ledger. I understand the estimated cost for publication of this notice is \$903.60.

Please e-mail (kflynn@psc.state.fl.us) or fax (850-413-7118) the draft notice to me for proofing prior to publication.

The bill for publication of this notice should be mailed to:

Florida Public Service Commission  
Division of the Commission Clerk and Administrative Services  
ATTN: Fiscal Services Section  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

The proof of publication should be sent to my attention at the address provided above.

Please call me if any questions at 850-413-6744.

Thank you so much for your prompt attention to this matter! I look forward to getting a confirmation that you have received this notice.

Kay Flynn  
FPSC

**Kay Flynn**

---

**From:** Kay Flynn  
**Sent:** Monday, September 13, 2004 1:35 PM  
**To:** 'legalads@theledger.com'  
**Cc:** Lee Fulcher; Carol Purvis; Marian Ellis  
**Subject:** RE: Notice for publication in Lakeland Ledger on Thursday 9/16/04

I'll take your recommendation and go with the local or main section publication at \$1,341.30. Thanks for checking with me on that!

Kay

(Lee: Please note the higher \$\$ for special order req.)

-----Original Message-----

**From:** legalads@theledger.com [mailto:legalads@theledger.com]  
**Sent:** Monday, September 13, 2004 1:09 PM  
**To:** Kay Flynn  
**Subject:** Re: Notice for publication in Lakeland Ledger on Thursday 9/16/04

Hi Kay,

I think you will do better if you just publish this in the local or main section as usual because, the local or main is set up as a 6 col page.

If you use the local or main a quarter of a page comes out to a 3 x 10 = 30 inches. Charging you \$1,341.30.

Classified is set up at a 9 col page.

If you use the classified a quarter of a page comes out to 48.5 inches.

Since the columns will be split up. Like 4.5 columns. it will automatically go up to 5 x 9.5. Charging you \$1,430.70.

The original price I quoted you was from me using the 6 col formula at a 9 col rate. Was that complicated or what?

Let me know what you think.

thanks, Patti :)

"Kay Flynn"  
<KFlynn@psc.state.fl.us>  
To: <legalads@theledger.com>  
cc: "Marian Ellis" <MEllis@psc.state.fl.us>, "Carol Purvis" <CPurvis@psc.state.fl.us>, "Lee Fulcher" <LFulcher@psc.state.fl.us>, "Cochran Keating" <WKeating@psc.state.fl.us>, "Janice Banka" <JBanka@psc.state.fl.us>  
09/13/2004 12:32 PM  
Subject: Notice for publication in Lakeland Ledger on Thursday 9/16/04

To: Patti Rouse, Legal Ads

From: Kay Flynn, FPSC

Patti,

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I understand the estimated cost for publication of this notice is \$903.60.

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Division of the Commission Clerk and Administrative Services  
ATTN: Fiscal Services Section  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

The proof of publication should be sent to my attention at the address provided above.

Please call me if any questions at 850-413-6744.

Thank you so much for your prompt attention to this matter! I look forward to getting a confirmation that you have received this notice.

Kay Flynn  
FPSC  
(See attached file: 040817needdetermination.doc)

**Tracking:**

**Recipient**

**Read**

'legalads@theledger.com'

Lee Fulcher

Read: 9/13/2004 1:36 PM

Carol Purvis

Read: 9/13/2004 1:36 PM

Marian Ellis

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
NOTICE OF COMMISSION HEARING AND PREHEARING CONFERENCE

TO

PROGRESS ENERGY FLORIDA, INC.

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 040817-EI

PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK  
COUNTY BY PROGRESS ENERGY FLORIDA, INC.

ISSUED: September 16, 2004

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Progress Energy Florida, Inc. ("Progress Energy") for determination of need for an electrical power plant, at the following time and place:

9:30 a.m., Wednesday, November 3, 2004  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

November 4, 2004, has also been reserved for continuation of the hearing if needed. If needed, the starting time on November 4, 2004, will be announced at the conclusion of the prior day's proceedings. 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 Progress Energy's proposed electrical power plant in Polk County, Florida. This proceeding shall allow Progress Energy to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; 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 proposed electrical power plant. 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 proposed plant 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 proposed power plant will be heard at this 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. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Wednesday, November 3, 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 32399-0850  
Re: Docket No. 040817-EI

Anyone wishing to become a party to this 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 the 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 proposed electrical power plant is a winter-rated 517 megawatt (MW) natural gas-fired, combined cycle unit to be located at the Hines Energy Complex in Polk County, Florida. The petitioner proposes to place the unit in commercial service by December 2007.

#### PREHEARING CONFERENCE

A prehearing conference will be held before Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, regarding the above-referenced matter, at the following time and place:

9:30 a.m., Monday, October 18, 2004  
Room 152, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The purpose of this prehearing conference will be to: (1) define and limit, if possible, the number of issues; (2) determine the parties' positions on the issues; (3) determine what facts, if any, may be stipulated; (4) dispose of any motions or other matters that may be pending; and (5) consider any other matters that may aid in the disposition of this case.

#### JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 403.519, Florida Statutes.

A copy of Progress Energy's 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 the hearing or prehearing conference in this docket 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 16th day of September, 2004.

---

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

( S E A L )

# The Ledger

## Legal Advertising

You have just received a fax from Patti Rouse, Legal Clerk .

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME Kay Flynn

COMPANY: Dir. of Comm

FAX NUMBER: 850-413-7118

WE ARE TRANSMITTING A TOTAL OF 2 PAGES INCLUDING THIS COVER LETTER.

DATE: 9-14 TIME: \_\_\_\_\_

NOTES: All set to publish Thur 9-16.  
Thanks, Patti

\*By requesting a legal ad, the Advertiser and affiliates give Express Verifiable Authorization to The Ledger for the purpose of providing services via phone, email or Fax, as described by the National Do Not Call Registry.

Email: [legalads@theledger.com](mailto:legalads@theledger.com)  
PHONE NO. 863-802-7370  
FAX NO. 863-802-7814  
P.O. BOX 408 LAKELAND, FLORIDA 33803  
300 WEST LIME STREET, LAKELAND FLORIDA 33815

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
NOTICE OF COMMISSION HEARING AND PREHEARING CONFERENCE

TO  
PROGRESS ENERGY FLORIDA, INC.

AND  
ALL OTHER INTERESTED PERSONS

DOCKET NO. 040817-E1

PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK COUNTY BY PROGRESS ENERGY FLORIDA, INC.

ISSUED: September 16, 2004

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Progress Energy Florida, Inc. ("Progress Energy") for determination of need for an electrical power plant, at the following time and place:

9:30 a.m., Wednesday, November 3, 2004  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

November 4, 2004 has also been reserved for continuation of the hearing if needed. If needed, the starting time on November 4, 2004, will be announced at the conclusion of the prior day's proceedings. 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 Progress Energy's proposed electrical power plant in Polk County, Florida. This proceeding shall allow Progress Energy to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; 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 26-22 and 28-106, Florida Administrative Code.

Under Section 403.512, the Commission is the sole forum for the determination of need for the proposed electrical power plant. 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 proposed plant 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 proposed power plant will be heard at this 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. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Wednesday, November 3, 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 32399-0850  
Re: Docket No. 040817-E1

Anyone wishing to become a party to this 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 the 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.

PREHEARING CONFERENCE:

A prehearing conference will be held before Commissioner Rudolph "Rudy" Bradley, as Prehearing Officer, regarding the above-referenced matter at the following time and place:

9:30 a.m., Monday, October 18, 2004  
Room 162, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The purpose of this prehearing conference will be to: (1) define and limit, if possible, the number of issues; (2) determine the parties' positions on the issues; (3) determine what facts, if any, may be stipulated; (4) dispose of any motions or other matters that may be pending; and (5) consider any other matters that may aid in the disposition of this case.

JURISDICTION

Jurisdiction over this matter is vested in the Commission by Section 403.519, Florida Statutes.

A copy of Progress Energy's 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  
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By DIRECTION of the Florida Public Service Commission this 16th day of September, 2004.

(SEAL)

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

1/4  
Page  
1341.13

LEDGER PROOF  
Approval Signature Required on Line Below

# The Ledger

## Legal Advertising

You have just received a fax from Patti Rouse, Legal Clerk.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME Kay Flynn

COMPANY: \_\_\_\_\_

FAX NUMBER: 850 413 7118

WE ARE TRANSMITTING A TOTAL OF 2 PAGES INCLUDING THIS COVER LETTER.

DATE: 9-14

TIME: \_\_\_\_\_

RECEIVED-FPSC  
04 SEP 14 PM 3:43  
COMMISSION CLERK

NOTES:

Revised Copy.

Thanks, Patti

\*By requesting a legal ad, the Advertiser and affiliates give Express Verifiable Authorization to The Ledger for the purpose of providing services via phone, email or Fax, as described by the National Do Not Call Registry.

Email: [legalads@theledger.com](mailto:legalads@theledger.com)

PHONE NO. 863-802-7370

FAX NO. 863-802-7814

P.O. BOX 408 LAKELAND, FLORIDA 33803

300 WEST LIME STREET, LAKELAND FLORIDA 33815

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
NOTICE OF COMMISSION HEARING AND PREHEARING CONFERENCE

TO  
 PROGRESS ENERGY FLORIDA, INC.

AND  
 ALL OTHER INTERESTED PERSONS

DOCKET NO. 040817-E1

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ISSUED: September 16, 2004

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 Florida Public Service Commission  
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 Re: Docket No. 040817-E1

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By DIRECTION of the Florida Public Service Commission this 16th day of September, 2004.

(SEAL)

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

LS50 9-16-2004

Approval Signature Required on Line Entry  
 LEDGER PROOF

Kay Flynn

040817-EL

To: jcostello@carltonfields.com  
Cc: Cochran Keating  
Subject: FW: Notice for publication in Lakeland Ledger on Thursday 9/16/04



040817needde  
mination.doc (E

Jeannie, per our conversation, I'm forwarding the e-mail I sent to Patti Rouse at the Ledger last Monday, to arrange for publication of the attached notice in the 9/16 (Thursday) edition of the Lakeland Ledger.

Please let me know if questions.

Kay Flynn  
PSC  
850-413-6744  
kflynn@psc.state.fl.us

-----Original Message-----

From: Kay Flynn  
Sent: Monday, September 13, 2004 12:32 PM  
To: 'legalads@theledger.com'  
Cc: Marian Ellis; Carol Purvis; Lee Fulcher; Cochran Keating; Janice Banka  
Subject: Notice for publication in Lakeland Ledger on Thursday 9/16/04

To: Patti Rouse, Legal Ads  
From: Kay Flynn, FPSC

Patti,

Per our conversation, I have attached a notice to be published as a quarter-page ad in the Thursday, 9/16/04 edition of The Lakeland Ledger. I understand the estimated cost for publication of this notice is \$903.60.

Please e-mail (kflynn@psc.state.fl.us) or fax (850-413-7118) the draft notice to me for proofing prior to publication.

The bill for publication of this notice should be mailed to:

Florida Public Service Commission  
Division of the Commission Clerk and Administrative Services  
ATTN: Fiscal Services Section  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0850

The proof of publication should be sent to my attention at the address provided above.

Please call me if any questions at 850-413-6744.

Thank you so much for your prompt attention to this matter! I look forward to getting a confirmation that you have received this notice.



Kay Flynn  
FPSC

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

# Public Service Commission

## ACKNOWLEDGMENT

DATE: 9-30-01

TO: Craig Green

FROM: Blanca Bayo, Division of the Commission Clerk and  
Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

10538-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

040317-11 or (if filed in an undocketed matter) concerning \_\_\_\_\_

Appendix A, and

filed on behalf of PLF / Group. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

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PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

STATE OF FLORIDA

COMMISSIONERS:  
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BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

# Public Service Commission

## ACKNOWLEDGMENT

DATE: 10.12.04

TO: Gary Sasso

FROM: Theray, Division of the Commission Clerk and  
Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

10984-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

DA0817-01 or (if filed in an undocketed matter) concerning responses

to Aff's 1st Interrogatories #17, and

filed on behalf of Progress Energy / Sasso. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

STATE OF FLORIDA

COMMISSIONERS:  
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LILA A. JABER  
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ADMINISTRATIVE SERVICES  
BLANCA S. BAYÓ  
DIRECTOR  
(850) 413-6770 (CLERK)  
(850) 413-6330 (ADMIN)

# Public Service Commission

## ACKNOWLEDGMENT

DATE: 10/15/04

TO: SASSO / CARLTON

FROM: M. SANDERS, Division of the Commission Clerk and  
Administrative Services

RE: Acknowledgment of Receipt of Confidential Filing

011125-04

This will acknowledge receipt of a CONFIDENTIAL DOCUMENT filed in Docket No.

040817-E1 or (if filed in an undocketed matter) concerning \_\_\_\_\_

APPENDIX A 3rd Reg for Conf (3 parts.), and

filed on behalf of PROGRESS ENERGY. The

document will be maintained in locked storage.

Any questions regarding this matter should be directed to Kay Flynn at (850) 413-6770.

PSC/CCA019-C (Rev 01/04)

State of Florida



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

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**DATE:** October 21, 2004

**TO:** Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

**FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

**RE:** DOCKET NO. 040817-EI, PREHEARING HELD 10-18-04.

---

RE: PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK COUNTY BY PROGRESS ENERGY FLORIDA, INC.

DOCUMENT NO.: 11279-04, 10/20/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

A handwritten signature in black ink, appearing to be "JF", written over a horizontal line.

JF/rlm

CCA Official Filing

10/28/2004 11:46 AM\*\*\*\*\*

\*\*\*\*\*

**\*\*Matilda Sanders\*\*\*1**

**Matilda Sanders**

PSC-04-1061-CFO-EI

RECEIVED  
OCT 28 PM 1:23

**From:** Janice Banka  
**Sent:** Thursday, October 28, 2004 11:41 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

COMMISSION  
CLERK

**Date and Time:** 10/28/2004 11:39:00 AM  
**Docket Number:** 040817-EI  
**Filename / Path:** 040817/040817conf-order.wck.doc  
**Order Type:** Signed / Hand Deliver

Order Granting Confidential Requests for Confidential Classification, with attachments not on line.

This order has already been assigned an Order No.: PSC-04-1061-CFO-EI.

Number of pages in order - 44.

Thanks "J"

att's in PDF format only

4 marked.

MEMORANDUM

OCTOBER 28, 2004

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (KEATING) *wck*

RE: DOCKET NO. 040817-EI - PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK COUNTY BY PROGRESS ENERGY FLORIDA, INC.

---

Attached is an ORDER GRANTING REQUESTS FOR CONFIDENTIAL CLASSIFICATION, with attachments, to be issued in the above-referenced docket. (Number of pages in order - 44)

DATE ORDER SENT ELECTRONICALLY TO CCA 10-28-04.

WCK/jb  
I:040817/040817conf-order.wck.doc



CCA Official Filing

10/28/2004 11:46 AM\*\*\*\*\*

\*\*\*\*\*

**\*\*Matilda Sanders\*\*1**

**Matilda Sanders**

PSC-04-1062-PHO-EI

RECEIVED-PPSC

04 OCT 28 PM 1:23

**From:** Janice Banka  
**Sent:** Thursday, October 28, 2004 11:41 AM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

COMMISSION  
CLERK

**Date and Time:** 10/28/2004 11:41:00 AM  
**Docket Number:** 040817-EI  
**Filename / Path:** 040817/040817phorder.wck.doc  
**Order Type:** Signed / Hand Deliver

Prehearing Order.

Number of pages in order - 14.

Thanks "J"

4/0.

MEMORANDUM

OCTOBER 28, 2004

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (KEATING) *WCK*

RE: DOCKET NO. 040817-EI - PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK COUNTY BY PROGRESS ENERGY FLORIDA, INC.

---

Attached is a PREHEARING ORDER to be issued in the above-referenced docket.  
(Number of pages in order - 14)

DATE ORDER SENT ELECTRONICALLY TO CCA *10-28-04*

WCK/jb  
I:040817/040817phorder.wck.doc

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040817-EI

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
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2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

# Public Service Commission

November 3, 2004

Bonnie E. Davis, Esquire  
Progress Energy Florida, Inc.  
106 East College Avenue, Suite 800  
Tallahassee, Florida 32301-7740

**Re: Docket No. 0040817-EI - Petition for determination of need for Hines 4 power plant  
in Polk County by Progress Energy Florida, Inc.**

Dear Ms. Davis:

Pursuant to your request at today's hearing, staff has provided for you copies of Confidential Document Nos. 10538-04, 10984-04, and 11125-04. The documents are enclosed.

Please sign on the line below to indicate receipt of these Confidential Documents.

Sincerely,

Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Dr. Mary Bane  
Blanca Bayó  
Cochran Keating  
Judy Harlow  
Parties of Record

Received by Katrin C. Cochran Date 11/4/04 7:57am

State of Florida



**Public Service Commission**  
**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** November 8, 2004

**TO:** Blanca S. Bayó, Director, Division of the Commission Clerk and Administrative Services

**FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services, Division of the Commission Clerk and Administrative Services

**RE:** DOCKET NO. 040817-EI, HEARING HELD 11/03/04.

---

**RE:** PETITION FOR DETERMINATION OF NEED FOR HINES 4 POWER PLANT IN POLK COUNTY BY PROGRESS ENERGY FLORIDA, INC.

DOCUMENT No: 11980-04, 11/08/04

The transcript for the above proceedings has been completed and is forwarded for placement in the docket file, including attachments.

Please note that Staff distribution of this transcript was made to:

LEGAL, ECR

Acknowledged BY:

A handwritten signature, possibly "JF", written in black ink.

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JF/rlm

State of Florida



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

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**DATE:** November 22, 2004  
**TO:** Blanca Bayó, Director, Commission Clerk and Administrative Services  
**FROM:** Jane Faurot, Chief, Office of Hearing Reporter Services  
**RE:** DOCKET NO. 040817-EI, HEARING HELD 11-03-04.

---

Attached for filing is Exhibit 1 through 28, representing a complete filing of the exhibits identified and admitted into the record during the proceedings held in the above docket.

Acknowledged BY:

*Tamela C. Jeffers*

JF/rlm

CCA Official Filing

11/23/2004 12:53 PM\*\*\*\*\*

\*\*\*\*\*

**\*\*Matilda Sanders\*\*1**

**Matilda Sanders**

1168 - FOF

**From:** PattiZellner  
**Sent:** Tuesday, November 23, 2004 12:35 PM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

6

**Date and Time:** 11/23/2004 12:34:00 PM  
**Docket Number:** 040817-E1  
**Filename / Path:** 040817\040817or.doc

ORDER GRANTING PETITION FOR DETERMINATION OF NEED FOR PROPOSED ELECTRICAL POWER PLANT

5/2

STATE OF FLORIDA

COMMISSIONERS:  
BRAULIO L. BAEZ, CHAIRMAN  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON



CAPITAL CIRCLE OFFICE CENTER  
2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

**Public Service Commission**

December 13, 2004

John Burnett, Esquire  
Carlton Fields, P.A.  
4221 West Boy Scout Boulevard  
Tampa, Florida 33607

**Re: Docket No. 040817-EI - Petition for determination of need for Hines 4 power plant in Polk County by Progress Energy Florida, Inc.**

Dear Mr. Burnett:

Pursuant to your December 1, 2004 e-mail request to Cochran Keating and approval from the Commission Executive Director's office, enclosed is a copy of Confidential Document No. 12193-04. This document is Composite Hearing Exhibit 3, which consists of Progress Energy's responses to staff discovery.


Please sign on the line below to indicate receipt of these Confidential Documents.

Sincerely,

Kay Flynn, Chief  
Bureau of Records

Enclosure

cc: Dr. Mary Bane  
Blanca Bayó  
Cochran Keating  
Judy Harlow  
Parties of Record

Received by  Date 12/14/04

**CCA Official Filing**

**\*\*\*2/28/2005 2:15 PM\*\*\***

**\*\*\*Matilda Sanders\*\*\***

RECEIVED-TP30\*\*\*1

FEB 28 PM 2:25

**Matilda Sanders**

---

**From:** Patti Zellner  
**Sent:** Monday, February 28, 2005 2:16 PM  
**To:** CCA - Orders / Notices  
**Subject:** Order / Notice Submitted

9

COMMISSION  
CLERK

**Date and Time:** 2/28/2005 2:14:00 PM  
**Docket Number:** 040817-E1  
**Filename / Path:** 040817conf-order2.wck.doc  
**Order Type:** Signed / Hand Deliver

*Attachments not online*

ORDER GRANTING CONFIDENTIAL CLASSIFICATION (DOCUMENT NO. 11125-04).

ATTACHMENTS ARE NOT ON-LINE. ORDER WILL BE DELIVERED SHORTLY.

*4 mailed*