

Kay Flynn

060225

From: Kay Flynn  
 Sent: Wednesday, April 12, 2006 4:57 PM  
 To: 'legals@pbpost.com'  
 Cc: Katherine Fleming; Blanca Bayo; Carol Purvis; Lee Fulcher; Debbie Ford  
 Subject: Notice for publication in 4/16/06 newspaper  
 Attachments: 060225needdetermination.doc

ORIGINAL

Dotty:

Attached is a notice to be published as a quarter-page ad in the Sunday, 4/16/06 edition of the Palm Beach Post. As we discussed, the cost for the ad is \$1100.59. We will be in contact with you tomorrow (Thursday) concerning payment.

Please send a draft to me for proofing by Friday 4/14. It can be e-mailed to me at [kflynn@psc.state.fl.us](mailto:kflynn@psc.state.fl.us) or faxed to 850-413-7118.

Following publication, we will need a formal proof of publication for the docket file. Please mail it to:

Florida Public Service Commission  
 CCA - Records (Flynn)  
 2540 Shumard Oak Blvd.  
 Tallahassee FL 32399-0850

Thank you.

Kay Flynn  
 850-413-6744  
[kflynn@psc.state.fl.us](mailto:kflynn@psc.state.fl.us)

*Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and to the media upon request. Therefore, your e-mail message may be subject to public disclosure.*

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- COM \_\_\_\_\_
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DOCUMENT NUMBER-DATE

03753 APR 28 06

FPSC-COMMISSION CLERK

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

TO

FLORIDA POWER & LIGHT COMPANY

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 060225-EI

PETITION FOR DETERMINATION OF NEED FOR WEST COUNTY UNITS 1 AND 2  
ELECTRICAL POWER PLANT IN WEST PALM BEACH COUNTY,  
BY FLORIDA POWER & LIGHT COMPANY.

ISSUED: April 16, 2006

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

Thursday, June 8, 2006, 9:30 A.M.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

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 FPL's proposed electrical power plants in Palm Beach County, Florida. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plants; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. Any member of the public who wishes to offer testimony should be present at the beginning of the hearing. By providing public testimony, a person does not become a party to the proceeding. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

DOCUMENT NUMBER-DATE

03753 APR 28 06

FPSC-COMMISSION CLERK

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 plants. 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 expansions are 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 plants and may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plants 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 plants 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 plants and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plants. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Thursday, June 8, 2006. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony. 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 below. 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.

Written comments regarding the need for the proposed plants and associated facilities may be sent to the Commission at the following address:

Blanca S. Bayó, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission

2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Re: Docket No. 060225-EI

## GENERAL LOCATION AND PROJECT DESCRIPTION

The proposed West County Units 1 and 2 electrical power plants are two new natural-gas fired, three-on-one combined cycle units which will utilize three Mitsubishi Power Systems 501G series advanced combustion turbines (CTs), three heat recovery steam generators (HRSGs) and one steam driven turbine generator. Each three-on-one unit is expected to have an approximate total rated peak capacity of 1,219 MW in summer and 1,335 MW in winter. West County Units 1 and 2 are expected to be placed in service by June 2009 and June 2010, respectively.

## PREHEARING CONFERENCE

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

Tuesday, May 23, 2006, 9:30 a.m.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

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

## JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.519, Florida Statutes.

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).

A copy of FPL'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

By DIRECTION of the Florida Public Service Commission this 16th day of April, 2006.

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

(SEAL)