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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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COMMISSION CLERK

In re: Petition for determination of need for electrical power plant in Taylor County by Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee.

DOCKET NO. 060635-EU

FILED: December 28, 2006

NOTICE OF FILING CERTIFIED PROOF OF PUBLICATION OF NOTICE OF NEED DETERMINATION HEARING ON A PETITION FOR DETERMINATION OF NEED FOR PROPOSED POWER PLANT IN TAYLOR COUNTY, FLORIDA

Florida Municipal Power Agency, JEA, Reedy Creek Improvement District and City of Tallahassee ("Applicants" or "Participants"), by and through their undersigned attorneys, hereby serve notice that the Notice of Commission Hearing and Prehearing Conference on the Petition for Determination of Need for electrical power plant in Taylor County by Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee was published in the TaCo Times on November 22, 2006, pursuant to Order No. PSC-06-0819-PCO-EU (October 4, 2006) at pg. 2, and Section 403.519(2), Florida Statutes (2006). Attached is an Affidavit, serving as proof of publication of the Notice.

DATED this 28th day of December, 2006.

- CMP
COM
CTR
ECR
GCL
OPC
RCA
SCR
SGA
SEC
OTH

Virginia C. Dailey
Gary V. Perko
Carolyn R. Raepple
Virginia C. Dailey
Hopping Green & Sams, P.A.
123 S. Calhoun Street (32301)
Post Office Box 6526
Tallahassee, FL 32314

Attorneys for Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee

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FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

11836 DEC 28 06

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Applicants' Notice of Filing Certified Proof of Publication of Notice of Need Determination Hearing on a Petition for Determination of Need for Proposed Power Plant in Taylor County, Florida, in Docket No. 060635-EU, was served upon the following by U.S. Mail on this 28th day of December, 2006:

Brian P. Armstrong, Esq.  
7025 Lake Basin Road  
Tallahassee, FL 32312

Valerie Hubbard, Director  
Department of Community Affairs  
Division of Community Planning  
2555 Shumard Oak Blvd.  
Tallahassee, FL 32399-2100

Jennifer Brubaker, Esq.  
Katherine Fleming, Esq.  
Legal Division  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

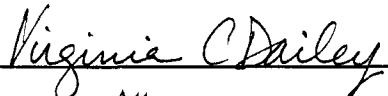
Buck Oven  
Michael P. Halpin  
Department of Environmental Protection  
2600 Blairstone Road MS 48  
Tallahassee, FL 32301

E. Leon Jacobs, Jr.  
Williams, Jacobs & Associates, LLC  
P.O. Box 1101  
Tallahassee, Florida 32302

Jeanne Zokovitch Paben  
Brett M. Paben  
WildLaw  
1415 Devils Dip  
Tallahassee, FL 32308-5140

Harold A. McLean, Esq.  
Office of Public Counsel  
111 West Madison Street  
Room 812  
Tallahassee, FL 32399-1400

Patrice L. Simms  
Natural Resources Defense Council  
1200 New York Ave., NW  
Suite 400  
Washington, DC 20005

  
\_\_\_\_\_  
Attorney

**AFFIDAVIT**  
IN ACCORDANCE WITH CHAPTER 50, FLORIDA STATUTES

PERRY NEWS-HERALD / TACO TIMES  
Published Weekly  
City of Perry, Taylor County, Florida

STATE OF FLORIDA  
COUNTY OF TAYLOR.

Before the undersigned authority personally appeared Donald D. Lincoln, who on oath says that he or she is Publisher of the TaCo Times, a weekly newspaper of general circulation, printed in the English language, published at Perry in Taylor County, Florida; that the attached copy of advertisement being a Notice in the matter of the Petition for a Determination of Need for an Electrical Power Plant in Taylor County before the Florida Public Service Commission, was published in said newspaper in the issue of November 22, 2006.

Affiant further says that the TaCo Times is a newspaper published at Perry, in said Taylor County, Florida, and that the said newspaper has heretofore been continuously published in said Taylor County, Florida, each week and has been entered as periodicals matter at the post office in Perry, in said Taylor County, Florida, for a period of one (1) year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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.

Sworn to and subscribed before me this 22nd day of November 2006, by Donald D. Lincoln, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Debra M. Caruso

Notary \_\_\_\_\_  
Notary \_\_\_\_\_



**NOTICE OF COMMISSION HEARING  
AND PREHEARING  
FLORIDA PUBLIC SERVICE COMMISSION  
DOCKET NO. 060635-EC**

**PETITION FOR DETERMINATION OF NEED FOR ELECTRICAL POWER PLANT IN TAYLOR COUNTY BY FLORIDA MUNICIPAL POWER AGENCY, JEA, REEDY CREEK IMPROVEMENT DISTRICT, AND CITY OF TALLAHASSEE**

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 Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee ("Participants") for determination of need for an electrical power plant, at the following time and place:

Wednesday, January 10, 2007 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 the Participants' proposed electrical power plant in Taylor County, Florida. This hearing will also consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the Participants to present evidence and testimony in support of their petition for a determination of need for the proposed electrical power plant; (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.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, 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, the need for fuel diversity and supply reliability, 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), 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, as required by the "Florida Electrical Power Plant Siting Act," Sections 403.501-403.519, Florida Statutes.

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, January 10, 2007. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony. By providing public testimony, a person does not become a party to the proceeding. 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 proceedings 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 plant and associated facilities may be sent to the Commission at the following address:

Blanca S. Bayo, Director  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Re: Docket No. 060635-EC

#### GENERAL LOCATION AND PROJECT DESCRIPTION

The proposed Taylor Energy Center electrical power plant is a 765 megawatt (net capacity) supercritical pulverized coal-fired electrical power plant to be located in Taylor County on approximately 3,000 acres southeast of Perry, Florida. The Taylor Energy Center site is bordered by U.S. Highway 27 on the north and the Fenholloway River on the west. The Taylor Energy Center is designed to burn a blend of coal and petroleum coke (petcoke) with a blend ratio of up to approximately thirty percent (30%) petcoke. The unit is expected to be placed in service by May 1, 2012.

#### PREHEARING CONFERENCE

A prehearing conference will be held at:  
Thursday, December 21, 2006, 9:30 a.m.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The purpose of this prehearing conference is 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

This Commission is vested with jurisdiction over the subject matter of this proceeding by the provisions of Chapter 366, and section 403.519, Florida Statutes. This proceeding will be governed by those statutes, in addition to Chapter 120, Florida Statutes, and Rules 25-22 and 28-106, Florida Administrative Code.

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 the Applicants' 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