

060635

STATE OF FLORIDA

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TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

July 6, 2007

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Mr. Barry G. Parsons
1011 NW Bobwhite Terrace
Madison, FL 32340

Dear Mr. Parsons:

Thank you for your interest in the determination of need for the Taylor Energy Center. Your letter dated June 18, 2007, addressed to Chairman Edgar was forwarded to me for response.

The Commission held a formal administrative hearing on the determination of need for the Taylor Energy Center on January 10 through 12, and 18, 2007. The Commission deferred its consideration of staff's posthearing recommendation from the February 13 to the March 13, 2007, Agenda Conference. On March 9, 2007, the Applicants (JEA, the City of Tallahassee, Reedy Creek Improvement District, and the Florida Municipal Power Authority) filed a motion for limited reopening of the record to address new information on the City of Tallahassee's production costs.

On May 22, 2007, the Commission voted to reopen the record for the limited purpose of taking evidence on the revised production cost modeling for the City of Tallahassee and its effect on the Applicants' petition for determination of need. The Commission's staff has been working to schedule additional procedures, including an additional hearing, to obtain information on the limited subject matter raised in the Applicants' motion.

However, on July 3, 2007, the Taylor Energy Center announced plans to suspend permitting activities while participating in a recently announced Florida Climate Change Summit, which is scheduled to take place July 12-13, 2007. At this time, no formal filing has been made at the Commission regarding this planned suspension; however, any such filing or further action will be reflected in the docket as it occurs. Further information can be obtained on the Commission's website, www.floridapsc.com, by searching on the Docket No. 060635-EU.

In your letter, you expressed the concern about additional coal-fired generating units being placed on the Taylor site, and about the potential rail impacts if this occurs. You also stated that the Commission has jurisdiction over railroads. The Commission does not have jurisdiction over railroad traffic and congestion. However, the Department of Environmental Protection serves as the central coordinating agency for the certification of a coal-fired plant. As a part of the certification process, the Department of Environmental Protection consults with the Department of Transportation and applicable municipal bodies that have jurisdiction over the rail traffic issues that have been raised.

Mr. Barry G. Parsons
Page 2
July 6, 2007

Further, each coal-fired generating unit must obtain a determination of need from the Commission, and be certified by the Department of Environmental Protection. If a determination of need and certification are granted, each coal-fired generating unit must then receive final approval by the Governor and the Cabinet, acting as the Power Plant Siting Board.

Thank you again for your interest. Your public testimony at hearing on January 10, 2007, was entered into the record for the Commission's consideration. Your June 18, 2007 letter and attached documents will be placed in the correspondence file for the Taylor Energy Center determination of need docket.

Sincerely,



Judy G. Harlow
Economic Analyst, Division of Economic Regulation
Bureau of Strategic Projects & Resource Planning

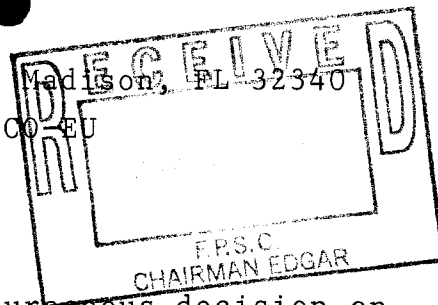
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TO: Ms. Lisa Edgar, Chair, PSC

FROM: Barry G. Parsons, 1011 NW Bobwhite Terrace, Madison, FL 32340

RE: DOCKET NO. 060635-EU, ORDER NO. PSC-07-0483-PCO-EU

June 18, 2007



Dear Ms. Edgar:

First, my deepest thanks for your commission's courageous decision on the terribly flawed Glades County coal plant application. I write now to see if you are prepared to bring the same judgment to bear on the equally flawed Taylor Energy Center proposal still before you.

I recognize that there are differences between the two that make this decision more challenging. I would like to direct your attention to one aspect, that which I addressed in testimony last winter: rail traffic.

ENCLOSED for easy reference is a copy of Taylor County's Comprehensive Plan LAND USE ELEMENT. Note the highlighted lines on page 02 & 06.

Here's the math. The maximum 3,200 MW envisaged for the maximum seven coal plants the TEC appears to be preparing for in the future, and for which they wish to lock up the entire 3,000 acre site right now, amounts to 3 1/4 times more coal than the 800 MW plant proposal before the PSC.

That is not only 3 1/4 times as much coal pollution and negative health impact, but also 3 1/4 times as much rail traffic as that objected to in those letters in the record from those eight jurisdictions through which that rail traffic would travel on the way from the port of Jacksonville to Perry, Florida.

You'll recall testimony on behalf of the TEC at your PSC public hearing that the imported coal from Latin America coming into Jacksonville would require 100 rail cars per day and would comprise 30% of TEC's daily fuel stock needs. If seven plants are eventually built, that would mean 325 additional rail cars full of coal per day, 650 if those rail cars return empty the same day.

But let's look at tiny Greenville in western Madison County. Besides that traffic from Jacksonville, Greenville would be getting the OTHER 70% OF FUEL STOCK COMING FROM APPALACHIA and WYOMING. If 30% = 100 railcars it may be assumed that the other 70% will = 233 rail cars -- for a total from all three directions of 333 rail cars full of coal coming through Greenville, 666 with empties counted. But if all seven plants are built, that would mean an incredible 1,082 extra rail cars of coal per day, 2,164 with empties !!

And if that isn't bad enough, some sort of rail bypass will be needed in Madison County near Greenville to allow the east-west coal trains to turn south on the only north-south rail line available to connect to Perry, which parallels Highway 221 out of Greenville.

I'm told the PSC has jurisdiction over railroads. Shouldn't this matter be part of the PSC decision in this case?

Respectfully,
Barry G. Parsons

cc. Mayor Alesta Pritchett, Greenville; Madison County Commission

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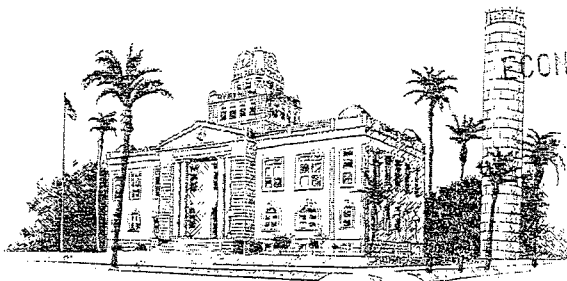
Board of County Commissioners Madison County, Florida

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May 30, 2007

Board of County Commissioners
of Taylor County, Florida
201 East Green Street
Perry, Florida 32347

VIA OVERNIGHT DELIVERY

Re: Comments, recommendations, or objections to proposed amendments to the Taylor County Comprehensive Plan designated CPA 06-01 and CPA 05-05

Dear Sir:

The Board of County Commissioners of Madison County (hereinafter "Madison County") has reviewed the joint application submitted on behalf of JEA, Florida Municipal Power Agency, Reedy Creek Improvement District, and the City of Tallahassee collectively as Taylor Energy Center "TEC" that outlines proposed amendments to the Taylor County Comprehensive Plan as follows:

1. CPA 06-01 seeks to change the current Future Land Use Element text in the Taylor County Comprehensive Plan, by adding two new land use classifications, Electrical Power Generating Facility-2 (EPGF-1 and EPGF-2).
2. CPA 05-05 seeks to change the current Future Land Use *map* (FLUM) in the Taylor County Comprehensive Plan, reclassifying approximately 2,997 acres of property from the existing classifications of Agricultural 1 & 2 to the newly proposed designation of Electrical Power Generating Facility-2 (EPGF-2).

Madison County is concerned about these proposed amendments and therefore submits the following comments, recommendations and objections as contemplated by Section 163.3184, Florida Statutes. Madison County requests that these comments, recommendations and objections be considered by the Taylor County Board of County Commissioners prior to or at the Board's hearing where it will consider adopting the proposed amendments. We understand that this hearing is currently scheduled for June 4, 2007.

Madison County is concerned that the proposed power plant(s) which would be authorized by the proposed amendments will result in:

1. A substantial increase in the rail traffic through Madison County to carry the coal necessary to fuel the proposed power plant(s) and to return the empty coal cars. Some estimates show that the rail traffic through Madison County, and particularly the area around the Town of Greenville, could increase by as much as 100 trains per day. If this is accurate it would be a substantial impact on Madison County's road system and the portion of the State road system in Madison County. For example such increased rail traffic would most likely necessitate the expenditure of public moneys to fund infrastructure and infrastructure improvements in Madison County such as road overpasses and road bypasses to avoid clogged rail crossings. Such infrastructure would be necessary to maintain the current level of service of such roads and crossings and to ensure the continued provisions of law enforcement and emergency services in Madison County. In our opinion the applicant should be required to provide sufficient assurances that either this will not be the case or that it will absorb the costs of these infrastructure improvements prior to any approval of the amendments.
2. Pollution to the water and air resources shared by all of our neighboring counties, but which could migrate to Madison County and affect Madison County residents, businesses and environmentally sensitive areas designated for protection and special treatment under our comprehensive plan. These potential migrations to adjoining local governments should be reviewed prior to any approval of the proposed amendments.
3. A depletion of the groundwater resources in order to serve the needs of this plant. These groundwater resources are essential to agriculture and business in Madison County and assurances should be given by the applicant that they will not be harmed by the proposed use.
4. An attempt by the power plant(s) to use the Aucilla Regional Landfill to dispose of its coal combustion wastes. Madison County and Taylor County are partners in this landfill and therefore both have an interest in keeping the landfill free of any contamination. However, as the landfill site is located within Madison County it will be Madison County residents who will bear the impact should any toxins generated at the power plant(s) leach into the soils at the landfill site. This would have a disastrous affect on wells and water resources in that area.

Board of County Commissioners
Madison County, Florida

07 JUN 26 AM 9:58

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May 17, 2007

Aucilla Area Solid Waste Administration
Attn: Regional Board
1313 SW Greenville Hills Road
Greenville, FL 32331

Re: Proposed disposal of solid waste from the proposed Taylor Energy Center (TEC) coal-fired power plant in Taylor County, in the regional landfill.

Dear Sir or Madam:

This letter is to express the concerns of the Board of County Commissioners of Madison County, Florida (hereinafter "Madison County") about the possible disposal of coal combustion waste from the Taylor Energy Center's proposed coal fired power plant to be located in Taylor County, Florida.

Recently JEA, Florida Municipal Power Agency, Reedy Creek Improvement District, and the City of Tallahassee collectively as Taylor Energy Center "TEC" that outlines proposed amendments to the Taylor County Comprehensive Plan Future Land Use Map:

- (1) CPA 06-01 seeks to change the current Future Land Use Element text in the Taylor County Comprehensive Plan, by adding two new land use classifications, Electrical Power Generating Facility-2 (EPGF-1 and EPGF-2).
- (2) CPA 05-05 seeks to change the current Future Land Use map (FLUM) in the Taylor County Comprehensive Plan, reclassifying approximately 2,997 acres of property from the existing classifications of Agricultural 1 & 2 to the newly proposed designation of Electrical Power Generating Facility-2 (EPGF-2).

Board of County Commissioners Madison County, Florida

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These amendments raise concerns related to anticipated disposal of coal combustion waste from the proposed 800-megawatt pulverized coal-fired power plant. The applicants assert that the regional landfill has the capacity to accept coal combustion waste that will be generated from the proposed coal-fired power plant. Specifically, outlined in section 5.2.2 of the proposal, the applicants estimate the amount of solid waste to be generated by the proposed coal-fired power plant based on 180 fulltime employees and the Taylor County Limit of Service (LOS) of 0.78 ton per year (tpy) per person is 140.4 tpy. Byproducts, fly ash and bottom ash are expected to be sold for offsite commercial use, however, an onsite contingency plan is being considered. The amendment however fails to demonstrate clear evidence of a guaranteed market for these waste byproducts. Further we understand that due to past environmental issues in the area of the proposed site it is at least questionable as to whether or not on-site disposal is an option - no agency has ruled on this issue. The amendment further states that in addition to the byproducts, office-type waste and some spent filters may be disposed of at the regional landfill as well as centrifuge cake from the zero liquid discharge system.

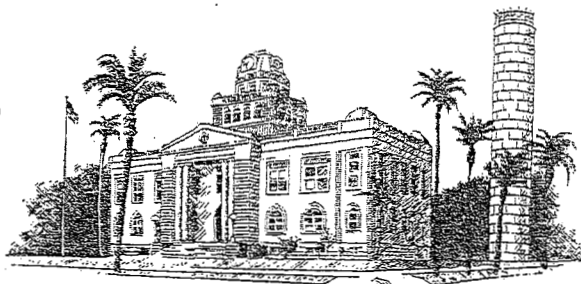
Madison County has concerns over the above proposed disposal for two reason (1) we do not believe that the above referenced combustion type waste are allowable under the landfill's current permits from the State of Florida and (2) regardless of whether the disposal was allowed under the State permits, the Interlocal Agreement which created the landfill does not allow for the disposal of these types of waste.

On this second point we would point out that the Interlocal Agreement which governs the administration provides for the disposal of "solid waste" in the regional landfill. Solid waste is specifically defined in the Interlocal Agreement as excluding "hazardous waste". In our opinion the spent filters, centrifuge cake and other coal combustion waste would be hazardous waste and therefore not allowed in the regional landfill. Additionally, we believe that this would be so regardless of the definition of "hazardous waste" given by any other Federal or State agency. Our Interlocal Agreement does not define "hazardous waste" nor does it direct that we will be required to look to the definitions given by any other agency. Therefore whether this material can be disposed of in the regional landfill will turn on a question of contract interpretation and are open to judicial construction.

Board of County Commissioners Madison County, Florida

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Please understand that we do not take this matter lightly and are acutely aware of the need for good jobs and economic development in this area. However, since the regional landfill is located in Madison County, it is the citizens of Madison County who will suffer if the toxins in the above wastes are released into the environment. These wastes may contain toxins including arsenic, mercury, chromium, cadmium, lead, selenium and boron that can cause deformities, reproductive problems and cancers in humans.

Under these circumstances we must object to the proposed disposal and request that this disposal not be allowed. We further request that should the landfill authority receive any official request for such disposal, that we be notified immediately so that we can take whatever action is necessary.

Thank you for your attention to these matters.

Sincerely,

Roy Ellis, Chairman
Board of County Commissioners
Madison County

cc: Dixie County
Jefferson County
Taylor County

Imported fuel stock (pot coke) WORKSHEET

✓ 30% of TOTAL DAILY fuel stock = 100 railcars
 so, 70% = 233 railcars

So, TOTAL railcars daily for all fuel stock source, from all geog. sources, 800 MW → 333

For GREENVILLE: 333 + empties: ~~666~~ (→ trains)

All other jurisdictions, East: 100 + empties: 200 (2 trains)

3,200 MW = ↑ 3 1/4 for all jurisdictions

MADISON + EAST × 3 1/4 → GREENVILLE

w/coal: 325 * 2-6 TRAINS 1,082 * 8-24 trains

× 2
 + empties: 650 * 5-13 TRAINS 2,164 * 20-43 TRAINS

* Using full range of #cars/TRAIN (50 to 135 cars)

most concency = 100 cars/train
 - 4 trains 11 trains w/coal

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DIVISION OF
ECONOMIC REGULATION
POLICY 1.3.2

TAYLOR COUNTY COMPREHENSIVE PLAN
FUTURE LAND USE ELEMENT

ELECTRICAL POWER GENERATING FACILITY 1

This land use category is intended for electrical power generating facilities consisting of no more than three power plant units, and related uses with their directly associated facilities, producing a total of no more than 1,200 megawatts of net electrical power output, and related uses between 0 and 50 permanent employees that are consistent with the requirements of the Comprehensive Plan, which together have a total employment of between 0 and 50 permanent employees, and all other applicable federal, state, and local laws, rules, regulations, permits, and licenses. This public service use includes directly associated facilities for the production of electricity, including but not limited category is also intended to fuel and byproduct storage facilities and waste disposal areas, include directly associated facilities (but not directly associated linear facilities,). Related uses including processing, warehousing, raw materials storage, office, and manufacturing uses, not directly associated with the production of electricity, as well as public, charter, and private schools teaching industrial arts curricula, are also permissible. Such related uses and schools shall occupy no more than 10 percent of the total acreage a portion of the site or 10 acres, whichever is less. Such related uses shall to be designated through site plan approval and shall not exceed a floor area ratio of 1-0.75. One dwelling unit for use by the owner, an employee, lessee, custodian, or security guard may be permitted as an accessory use as part of an approved site plan where such dwelling unit is located on the same lot or parcel. Agricultural uses such as cropland, pastureland, orchards, and groves or forestry are also permissible within this category. The allowable intensity of development in this category shall be determined as follows:

100 ac

- (a) The power plant units and directly associated uses block and fuel storage area shall comprise no more than 5000 percent of the entire

site and shall be subject to a maximum impervious surface ratio of 0.5.

- (b) A minimum of 3525 percent of the entire site shall be open space. Open space shall be defined as land suitable for passive recreation or conservation uses which shall remain undeveloped except for limited crossings by linear facilities, such as roads, rail, transmission lines, natural gas pipelines, water and sewer pipelines and communications lines, necessary for operation of the power plant units and related uses. These facilities will be co-located where practicable in order to minimize any impacts to environmentally sensitive areas.

In determining the suitability of a location for designation as Electrical Power Generating Facility 1, the Board of County Commissioners shall consider whether and the extent to which:

- (a) The site is nearby to ~~other~~ industrial or utility uses, and/or accessible by fuel transportation facilities.
- (b) Nearby existing residential development is relatively sparse, adjoining residential future land use categories allow only low density development, and there is adequate separation between the power ~~plant units~~ ~~block~~ and fuel ~~storage facilities~~ and existing residential units.
- (c) There is a water source that is adequate for plant operation based on the best available data and analysis ~~from the water management district.~~
- (d) Natural resources will be protected in accordance with the Comprehensive Plan.
- (d) ~~Adverse impacts to natural resources such as water bodies, wetlands, and habitat for listed wildlife species can be avoided or minimized.~~
- (e) The site can be served by existing or new transportation systems comprised of arterial or collector roads of sufficient capacity to ensure

that, during plant operation, there will be no degradation to the level of service below the adopted standard; and-

- (f) The site will allow connection to the existing and planned high-voltage electrical transmission line network power grid in an effective manner.

The following performance standards shall be applied to a site designated as Electrical Power Generating Facility 1. The power plant units, directly associated facilities, and related uses ~~The power block and fuel storage facilities:~~

- (a) Shall not be located within 250~~400~~ feet of the bank of the Fenholloway, 100-year floodplain of the Aucilla, Econfina, or Steinhatchee Rivers or Spring Warrior Creek;
- (b) Shall be located where the effects of power plant noise can be minimized through a combination of preserving existing vegetation, distance from property boundaries or noise sensitive uses, or through physical plant design. For the purposes of permitted levels of noise or sound emission, this land use category shall be subject to the same standards as for the Industrial land use category;
- (c) Shall be located where visual impacts can be minimized through existing topography, vegetation, facility~~power~~-plant design, or distance from properties;
- (d) Shall be buffered on all sides except for ingress and egress corridors and where the electrical power generating facility use is compatible with existing or designated future land uses;
- (e) Shall be set back and/or buffered from existing adjacent residential areas or designated residential future land use categories;
- (f) Shall use reuse wastewater from any nearby industrial uses where available and appropriate to meet water consumption needs;
- (g) Shall include the best available control technology for protecting air quality consistent with state and federal standards;

- (h) Shall, in fuel and byproduct storage facilities and waste disposal areas, include liners and leachate controls consistent with state and federal standards;
- (i) Shall mitigate any unavoidable impacts to environmentally sensitive areas, such as wetlands and listed species habitat, consistent with state and federal standards;
- (j) Shall provide compensatory storage for development in the 100-year floodplain consistent with local and state standards;
- (k) Shall provide reasonable assurance that there will be no degradation to the water quality classification established by FDEP for riverine receiving waters; and
- (l) Shall connect to central sewer or provide on-site tertiary treatment for domestic wastewater with no discharge of treated wastewater to surface waters. Septic tanks shall not be allowed, provided that temporary above-ground holding tanks shall be permissible during construction.

~~Environmentally sensitive areas shall be protected through buffering and/or other mitigating techniques imposed pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority. Air quality shall be protected through the use of best available control technology as determined pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority. All infrastructure necessary for operation of the Electrical Power Generating Facility 1, as determined pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority, shall be provided.~~

At the approximately 2,997-acre Taylor Energy Center site proposed for designation on the Future Land Use Plan Map as Electrical Power Generating Facility 2, no more than one power plant unit with net electrical power output of 800 MW and zero discharge of wastewater from power plant units and directly associated facilities into wetlands and riverine systems shall be allowed unless

specifically authorized by a comprehensive plan amendment adopted by ordinance of the Board of County Commissioners. [Comprehensive Plan Amendment No. 05-5]

ELECTRICAL POWER GENERATING FACILITY 2

This land use category is intended for electrical power generating facilities consisting of no more than four power plant units, and related uses with their directly associated facilities, producing a total of no more than 2000 megawatts of net electrical power output, and related uses between 51 and 350 permanent employees that are consistent with the requirements of the Comprehensive Plan, which together have a total employment of between 51 and 350 employees, and all other applicable federal, state, and local laws, rules, regulations, permits and licenses. This public service use includes directly associated facilities for the production of electricity, including but not limited to ~~category is also intended to fuel and byproduct storage facilities and waste disposal areas, include directly associated facilities (but not directly associated linear facilities).~~ Related uses including processing, warehousing, raw materials storage, office, and manufacturing uses, not directly associated with the production of electricity, as well as public, charter, and private schools teaching industrial arts curricula, are also permissible. Such related uses and schools shall occupy no more than 5 percent of the total acreage portion of the site or 100 acres, whichever is less. Such related uses shall to be designated through site plan approval and shall not exceed a floor area ratio of 1-0.75. One dwelling unit for use by the owner, an employee, lessee, custodian, or security guard may be permitted as an accessory use as part of an approved site plan where such dwelling unit is located on the same lot or parcel. Agricultural uses such as cropland, pastureland, orchards, and groves or forestry are also permissible within this category. The allowable intensity of development in this category shall be determined as follows:

- 2,000
- (a) The power plant units and directly associated facilities ~~block and fuel storage area~~ shall comprise no more than 50 ~~25~~ percent of the entire

site and shall be subject to a maximum impervious surface ratio of 0.5.

- (b) A minimum of 3525 percent of the entire site shall be open space. Open space shall be defined as land suitable for passive recreation or conservation uses which shall remain undeveloped except for limited crossings by linear facilities, such as roads, rail, transmission lines, natural gas pipelines, water and sewer pipelines and communications lines, necessary for operation of the power plant units and related uses. These facilities will be co-located where practicable in order to minimize any impacts to environmentally sensitive areas.

In determining the suitability of a location for designation as Electrical Power Generating Facility 2, the Board of County Commissioners shall consider whether and the extent to which:

- (a) The site is nearby to ~~other~~ industrial or utility uses, and/or accessible by fuel transportation facilities;
- (b) Nearby existing residential development is relatively sparse, adjoining residential future land use categories allow only low density development, and there is adequate separation between the power plant units, directly associated facilities ~~block~~ and related uses, and ~~fuel storage facilities and existing residential units;~~
- (c) There is a water source that is adequate for plant operation based on the best available data and analysis; ~~from the water management district.~~
- (d) Natural resources will be protected in accordance with the Comprehensive Plan;
- ~~(d) Adverse impacts to natural resources such as water bodies, wetlands, and habitat for listed wildlife species can be avoided or minimized.~~
- (e) The site can be served by existing or new transportation systems comprised of arterial or collector roads of sufficient capacity to ensure

that, during plant operation, there will be no degradation to the level of service below the adopted standard; and-

- (f) The site will allow connection to the existing and planned high-voltage electrical transmission line network~~power grid~~ in an effective manner.

The following performance standards shall be applied to a site designated as Electrical Power Generating Facility 2. The power plant units, directly associated block and fuel storage facilities, and related uses:

- (a) Shall not be located within 250~~400~~ feet of the bank ~~100-year floodplain of the Fenholloway, Aucilla, Econfina, or Steinhatchee Rivers or Spring Warrior Creek;~~
- (b) Shall be located where the effects of ~~power plant~~ noise can be minimized through a combination of preserving existing vegetation, distance from property boundaries or noise sensitive uses, or through physical plant design. For the purposes of permitted levels of noise or sound emission, this land use category shall be subject to the same standards as for the Industrial land use category;
- (c) Shall be located where visual impacts can be minimized through existing topography, vegetation, ~~facility~~~~power plant~~ design, or distance from properties;
- (d) Shall be buffered on all sides except for ingress and egress corridors and where the electrical power generating facility use is compatible with existing or designated future land uses;
- (e) Shall be set back and/or buffered from existing adjacent residential areas or designated residential future land use categories;
- (f) Shall use reuse wastewater from any nearby industrial uses where available and appropriate to meet water consumption needs;
- (g) Shall include the best available control technology for protecting air quality consistent with state and federal standards;

- (h) Shall, in fuel and byproduct storage facilities and waste disposal areas, include liners and leachate controls consistent with state and federal standards;
- (i) Shall mitigate any unavoidable impacts to environmentally sensitive areas, such as wetlands and listed species habitat, consistent with state and federal standards;
- (j) Shall provide compensatory storage for development in the 100-year floodplain consistent with local and state standards;
- (k) Shall provide reasonable assurance that there will be no degradation to the water quality classification established by FDEP for riverine receiving waters; and
- (l) Shall connect to central sewer or provide on-site tertiary treatment for domestic wastewater with no discharge of treated wastewater to surface waters. Septic tanks shall not be allowed, provided that temporary above-ground holding tanks shall be permissible during construction.

~~Environmentally sensitive areas shall be protected through buffering and/or other mitigating techniques imposed pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority. Air quality shall be protected through the use of best available control technology as determined pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority. All infrastructure necessary for operation of the Electrical Power Generating Facility 2, as determined pursuant to Sections 403.501 through 518, Florida Statutes, or other permitting authority, shall be provided.~~

At the approximately 2,997-acre Taylor Energy Center site proposed for designation on the Future Land Use Plan Map as Electrical Power Generating Facility 2, no more than one power plant unit with a net electrical power output of 800 MW and zero discharge of wastewater from power plant units and directly associated facilities into wetlands and riverine systems shall be allowed unless

specifically authorized by a comprehensive plan amendment adopted by ordinance of the Board of County Commissioners. [Comprehensive Plan Amendment No. 05-5]

STATE OF FLORIDA

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
MATTHEW M. CARTER II
KATRINA J. MCMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP



OFFICE OF THE GENERAL COUNSEL
MICHAEL G. COOKE
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Public Service Commission

July 6, 2007

ORIGINAL

COMMISSION
CLERK

07 JUL -6 PM 1:55

RECEIVED-PPSC

Mr. Rick Breer, Director of Economic Development
Taylor County Development Authority
115 W. Green Street
Perry, Florida 32348

Re: Docket No. 060635-EU - 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.

Dear Mr. Breer:

Thank you for your interest in the determination of need for the Taylor Energy Center. Your Letter dated June 11, 2007, and the Health Impact Assessment Report commissioned by the Taylor County Development Authority (TCDA), addressed to the Commissioners, was forwarded to me for response.

The Commission held a formal administrative hearing on the determination of need for the Taylor Energy Center on January 10 through 12, and 18, 2007. The Commission deferred its consideration of staff's posthearing recommendation from the February 13 to the March 13, 2007, Agenda Conference. On March 9, 2007, the Applicants (JEA, the City of Tallahassee, Reedy Creek Improvement District, and the Florida Municipal Power Authority) filed a motion for limited reopening of the record to address new information on the City of Tallahassee's production costs.

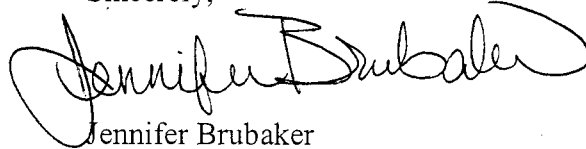
On May 22, 2007, the Commission voted to reopen the record for the limited purpose of taking evidence on the revised production cost modeling for the City of Tallahassee and its effect on the Applicants' petition for determination of need. The Commission's staff has been working to schedule additional procedures, including an additional hearing, to obtain information on the limited subject matter raised in the Applicants' motion.

However, on July 3, 2007, the Taylor Energy Center announced plans to suspend permitting activities while participating in a recently announced Florida Climate Change Summit, which is scheduled to take place July 12-13, 2007. At this time, no formal filing has been made at the Commission regarding this planned suspension; however, any such filing or further action will be reflected in the docket as it occurs. Further information can be obtained on the Commission's website, www.floridapsc.com, by searching on the Docket No. 060635-EU.

Mr. Rick Breer
July 6, 2007
Page 2

Your June 11, 2007, letter and the accompanying Health Impact Assessment Report will be placed in the correspondence file for the Taylor County Center determination of need docket. Thank you again for your input, and please feel free to contact me at (850) 413-6228 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Brubaker". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Jennifer Brubaker
Senior Attorney

cc: Office of the Commission Clerk
Commission Advisors (Bass, Garner, Groom, Harris, Susac)

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. 09034-07		
DISTRIBUTION:		

Ann Cole

From: Ann Cole
Sent: Monday, June 18, 2007 11:13 AM
To: Roberta Bass
Cc: William C. Garner; Jeremy Susac; Larry Harris; Samantha Cibula
Subject: RE: ATTN: Angela and Cathy; RE: Utilities face Problems in Central FL/Reedy Creek

Tracking:	Recipient	Message Status
	Roberta Bass	
	William C. Garner	
	Jeremy Susac	
	Larry Harris	
	Samantha Cibula	

Thanks, Roberta. This will be done today.

From: Roberta Bass
Sent: Monday, June 18, 2007 11:07 AM
To: Ann Cole
Cc: William C. Garner; Jeremy Susac; Larry Harris; Samantha Cibula
Subject: FW: ATTN: Angela and Cathy; RE: Utilities face Problems in Central FL/Reedy Creek

Good morning, Ann. Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: john dickert [mailto:johnw512@yahoo.com]
Sent: Monday, June 18, 2007 1:15 AM
To: Allan Katz; Andrew Gillum
Subject: ATTN: Angela and Cathy; RE: Utilities face Problems in Central FL/Reedy Creek

SEE ARTICLE BELOW

Dear Commissioner Katz and Commissioner Gillum:

I was so grateful to see the *Democrat* front page story yesterday stating the City Commission is *considering withdrawing from coal consortium!* It's so good to see most commissioners now thinking along those lines. I thank you for your most important role in moving this forward for the good of people everywhere. Gov. Crist must be very proud!!

3/10/2008

The article (below) is enlightening about serious problems Reedy Creek and other central FL utilities now face re destruction of wetlands and overusage of water. If you received photos I sent yesterday of Taylor's dried up streams, you can see we have no water to spare. Steinhatchee can't find good wells for that community. Dixie's water problems have been in the news lately, commented on by Chas. Dean who's running for Senate.

Taylor has serious water shortage problems as do neighboring counties due to Buckeye's depletion of aquifer for over 53 yrs. . All the millions of gallons Buckeye uses per day is returned to the earth and Gulf as toxic effluent which pollutes our region and wells.

Buckeye could reclaim and reuse their water (could've done it for decades) but as one of my Buckeye employees have said that "It isn't cost effective." In other words the profits go into their pockets, not into pollution control. And DEP has not provided protection for the people in the past.---but all that may change with Gov. Crist. We hope.

Buckeye's pollution of residents' wells was reported by CNN and "60 Minutes" in the 90s. A very bad situation that City of Tallahassee shouldn't want to be party to. This whole idea of using land next to Buckeye for power plants was the brainchild of Buckeye ---a great idea for them to have another major polluter next door ---, a very bad idea any entity drawn into Buckeye's ongoing saga of problems and lawsuits.

TEC's proposed 3,000 acre site is 25% wetlands in an area with a very low water table due to Buckeye's pumping over 50 million gal. of water per day from Floridan Aquifer. This not only makes the land very prone to sinkholes (bad for storage of coal wastes which would inevitably end up in aquifer,(as EPA says ALL liners leak over time.) but it also would pose a huge problem and huge expense for any utilities that damage that swampy wetlands area, as we can see from article here. And Madison County has made it clear to Taylor they don't want any coal waste dumped by TEC in their County.

As article below points out, utilities may sound apologetic and say they didn't count on overusing water and other problems, but actually, from past experience, those utilities mentioned below probably knew what to expect from the getgo, just as JEA knows now. Which is why they want to do all this in our rural area . The same goes for Reedy Creek!! When our group in Taylor asked Reedy Creek officials why they didn't put the coal plant in Orlando, they told us they don't have enough WATER!! We don't either!

In Taylor, JEA and partners hope to get by with putting in coal plants, **knowing** there will be problems. This sort of thing happens all the time in Taylor and other rural counties where folks put in all sorts of things like docks, etc. (sometimes even without permits),-- then beg forgiveness afterwards!

However, massive coal plants are another matter and this should not happen. All parties should know ahead of time exactly what they are getting into. because the consequences are extremely costly for taxpayers.

Cities involved must realize it will cost a fortune to try to mitigate damage that can never truly be mitigated or fixed. The damage to the environment will be done.

Along with Susan Glickman of NRDC, those of us who've met with JEA over a two-year period repeatedly told Bud Para and JEA staff the truth--- that they could not find a worse place on earth to build a coal plant than near San Pedro swamp-- an area prone to sinkholes and loaded w/ exotic plants and animals that must be protected ----next to a highly polluting paper mill with huge problems --and near residents already sick from pulp mill emissions. We told them the people here don't want it. They refused to listen.

It has been truly sad to see, of the handful who've testified in Perry in favor of the coal plant, that some are known cancer survivors (mostly with affiliation with banks or big business)

At June 4, hearing **only two local (2) people** (besides Rick Breer of TCDA and a Chamber rep) spoke in favor of the plant --**compared to 63 others from Taylor and surrounding counties who testified against the coal plant(s). Despite overwhelming opposition, the Taylor Commission ruled in favor of land use amendments that stripped our comp plan of protections for the people and environment--no questions asked and no comments about citizens' concerns by our commissioners!**

The two coal proponents featured on the front page of the June 5, Democrat re; the amendments hearing are both cancer survivors. To me, it's incomprehensible they could speak in favor of bringing in more cancer-causing pollution. One good thing I noted however is that extremely few are now willing to stick their necks out in favor of a coal plant. There were never more than 4 or 5 proponents speaking out, but now even fewer..

We pray these proposed plants will be denied.
(Please note article below)

Gale Dickert -
johnw512@yahoo.com

UTILITIES HAVE TO PAY 7M FOR WETLAND'S DAMAGE
wetlands1407 jun14,0,6188309. story

Utilities to pay \$7M for damage to area wetlands
Amy L. Edwards and Daphne Sashin
Sentinel Staff Writers

June 14, 2007

Five Central Florida utilities have agreed to pay nearly **\$7 million** to make up for damaging more than **500 acres of wetlands** in south Orange and Osceola counties by **pumping water from the Floridan Aquifer.**

As a condition of continuing to pump water from the aquifer, St. Cloud, Toho Water Authority, Orange County Utilities, Polk County Utilities and Reedy Creek Improvement District will restore and enhance about 1,700 acres of wetlands in east Polk County to compensate for the past and future damage.

The South Florida Water Management District governing board is expected to approve the mitigation agreements and the new water permits when it meets in Orlando today.

District officials say they **unwittingly allowed the over-pumping to occur** over the past couple of decades based on the best models available at the time. They didn't discover the damage until the utilities applied to renew their water permits a couple years ago. **By then, the district had a more sophisticated model to analyze the likely effects of past pumping.**

"I don't think anyone made an error. **The modeling of the past just did not reflect what we had seen happen,**" said Greg Boettcher, Polk County Utilities director. "Ultimately, as users, we have to take

3/10/2008

responsibility for any effects we cause."

While it's not common practice in Central Florida, the water-management district has made utilities in Miami-Dade pay for past damage to wetlands even when the pumping was permitted. Other Central Florida utilities can expect the same treatment when they apply for new permits, district hydrogeologist Chris Sweazy said.

"Every permit that's issued says you can't have harm to the wetlands," Sweazy said. "If monitoring shows this wetland is being stressed more heavily than we thought it would . . . we can go back and ask them to fix [it]."

Water-management district officials say there is no single reason the 37 different wetlands totaling about 574 acres near the Osceola-Orange county line have gradually degraded.

Groundwater pumping damaged 80 acres of small, isolated wetlands near Reunion, according to a water-management district staff report. Pumping combined with historic development and drainage alterations likely harmed another 494 acres of wetlands south and west of Disney's Animal Kingdom, near County Road 545.

"It's a combination of all of the things that have occurred in this region," said Chip Merriam, the district's deputy executive director for water resources.

Many of the wetlands exhibit moderate to extreme signs of harm, including the conversion of wetland habitat to upland habitat, tree falls, and encroachment of exotic species.

The district and the utilities considered trying to recharge the wetlands by pumping in water from another source, but they concluded that a successful recovery couldn't be guaranteed.

The utilities agreed to pay for the restoration of about 1,700 acres of wetlands near Lake Hatchineha on property known as Rolling Meadows and the Allen David Broussard Catfish Creek State Park. Toho Water Authority also agreed to donate about 100 acres west of ChampionsGate.

The mitigation payments take into account some future damage to wetlands as a result of increased groundwater pumping. The utilities will also pay for 39 monitoring wells, to prevent additional harm.

The agencies must submit annual monitoring reports to the water-management district and reduce pumping or take other measures if they detect damage to the wetlands beyond what they have paid for. **If pumping creates further damage, the district can force a decrease in pumping.**

District officials say they must balance protection of the environment with the need to supply a growing area with water for the next 20 years. After 2013, the three water-management districts that regulate water use in the region have cut off any increases in the amount of water pumped from the aquifer, which provides most of the region's water supply.

Water managers say that any additional pumping will parch wetlands and lakes and reduce the water flowing from springs, including those that feed the Wekiva River and supply habitat vital to wildlife.

Four of the utilities have applied to increase their water consumption through 2026, by between 2.8 and 16.8 million gallons per day. Only one, Reedy Creek Improvement District, has applied to reduce its

consumption. **After 2013, the utilities must find alternative water supplies to supplement their use of groundwater.**

Amy L. Edwards can be reached at aledwards@orlandosentinel.com or [863-422-3395](tel:863-422-3395). Daphne Sashin can be reached at [407-931-5944](tel:407-931-5944) or dsashin@orlandosentinel.com

Be a better Heartthrob. Get better relationship answers from someone who knows.
Yahoo! Answers - Check it out.

State of Florida



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

DATE: May 25, 2007

TO: Ann Cole, Commission Clerk

FROM: Jane Faurot, Chief, Hearing Reporter Services

RE: DOCKET NO. 060635-EU, AGENDA HELD 05/22/07.

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.

DOCUMENT No. 04297-07, 05-24-07

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 cursive script, appearing to be "JF", written over a horizontal line.

JF/rIm

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
MATTHEW M. CARTER II
KATRINA J. McMURRIAN

STATE OF FLORIDA



TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

Public Service Commission

April 11, 2007

Ms. Doris Kelynack
Ms. Polly Perkins
927 North Jefferson Street
Perry, Florida 32347

060635-EU

Dear Ms. Kelynack and Ms. Perkins:

Your letter to Governor Charlie Crist regarding the proposed Taylor Energy Center was forwarded to the Florida Public Service Commission for review and response. The Commission appreciates your continued interest and participation in the siting process for the proposed generating facility.

The Commission held a full evidentiary hearing on the need for the proposed Taylor Energy Center on January 10, 11, 12, and 18, 2007. On January 10, the Commission heard your testimony and the testimony of 33 other interested members of the public. Your testimony is included in the record for the docket, and will be considered by the Commission in making a final decision on the need for the proposed generating unit.

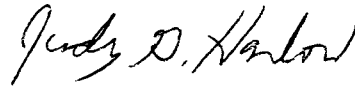
On March 9, 2007, JEA, the City of Tallahassee, Reedy Creek Improvement District, and the Florida Municipal Power Authority (the Applicants) filed a motion for the Commission to reopen the record in the case to consider additional cost information. The Commission's planned March 13, 2007, vote was deferred in order to address this motion. The Natural Resources Defense Council and other intervenors in the case subsequently requested the opportunity to conduct discovery and file testimony on this new information, and for an additional hearing to be scheduled.

Ms. Doris Kelynack
Ms. Polly Perkins
Page 2
April 11, 2007

At this time, the Commission's staff is reviewing the pending motions in the case. A schedule has not been set for any additional proceedings or for the Commission's final vote.

Thank you again for your participation. Your letter and attached news clips will be placed in the correspondence file for the docket. Please contact me at 850-413-6842 if you would like additional information.

Sincerely,



Judy G. Harlow
Economic Analyst, Division of Economic Regulation

JH:kb

cc: Rex T. Newman
Mary Bane
Chuck Hill
Jim Dean
Cameron Cooper
Tom Ballinger



CHARLIE CRIST
GOVERNOR

STATE OF FLORIDA

Office of the Governor

Citizen Services

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com

850-488-4441

850-487-0801 fax

March 28, 2007

ORIGINAL

060635-EU

RECEIVED-PPSC
07 APR -4 PM 12:55
COMMISSION
CLERK

Ms. Doris Kelynack
Ms. Polly Perkins
927 North Jefferson Street
Perry, Florida 32347

Dear Ms. Kelynack and Ms. Perkins:

Thank you for writing to Governor Charlie Crist detailing your concerns about a coal fired power plant in Taylor County. I appreciate your concern about this important issue.

The agency that regulates utilities is the Public Service Commission (PSC), which is an arm of the legislative branch of government. To assist you, I am forwarding your concerns to that office for review and response.

Again, thank for writing Governor Crist. Please do not hesitate to write again on matters of concern or interest to you.

Sincerely,

Rex T. Newman
Office of Citizens' Services

- CMP _____
- COM _____
- CTR _____
- ECR 1
- ECL 1
- JPC _____
- ICA _____
- ICR _____
- GA _____
- EC _____
- TH _____

RN/cas

cc/enc: Public Service Commission
2540 Schumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6100

RECEIVED

APR 02 2007

Florida Public Service Commission
Division of RCA

help!
Doris + Polly
"The Sisters" in
Perry

There is no 'need' to burn coal for power

Despite much citizen opposition, the Taylor Energy Center partners are moving ahead. They have arrived at that step in the permitting process in which they must prove to the state Public Service Commission that there is a "need" for a big coal-burning power plant in Taylor County.

Usually, the certificate-of-need hearing is short and free of controversy, and the PSC says yes. This time, though, many opponents presented persuasive arguments against the plant based on adverse health effects, global warming effects, rail traffic, anticipated carbon emission penalties, and more. The commissioners wisely voted to postpone their decision for a month to weigh all the testimony.

Partners in the plant stated that they were already implementing all feasible alternative energy options and that they need the plant. Well, our city thought the same thing, until it hired clean-energy consultants and followed their recommendations. Now, Tallahassee has committed to obtaining 162 megawatts from efficiency improvements and 38 megawatts from clean biomass.

The other partners haven't aggressively pursued all possible clean energy alternatives. Until they do, they are wrong to state that they "need" to burn coal for energy. The Public Service Commission should send them back to do their homework.

ELLIE WHITNEY
Big Bend Climate Action Team
ewhitney@comcast.net

Ignoring the right to breathe clean air

The State Comprehensive Plan (187.201(6)(b)2a) states: "Every Florida resident has a right to breathe clean air, drink pure water and eat nutritious food."

The citizens of Taylor County have a right to expect that any type of power plant sited here will be state of the art and the least-polluting possible. The proposed TEC plant does not meet these criteria. It is no consolation that we are being offered the cleanest version of dirty technology.

If approved, this plant will impact the quality of life in this community for generations.

And, the people of Taylor County were denied their right to vote on this very important issue.

CHRISTINE THOMPSON
Perry



Ms. Doris Kelynack
113 W Cherry St
Perry, FL 32347-1908



Ms Polly Perkins
927 N Jefferson St
Perry, FL 32347

Don't move pollution to another county

Thanks to the Public Service Commission for wisely postponing a decision on the Taylor coal plant. When considering costs, the impacts on human life are too important to ignore.

If cost matters, then the logical site for the plant would be Jacksonville, where coal barges are unloaded.

The real aim of parties involved in this coal consortium is to clean up and protect their own cities by "retiring" their old coal plants, while building new plants in Taylor County. This merely shifts pollution in Florida from one region to another, and places the heaviest health and environmental burdens on an already over-polluted rural county. Taylor County citizens, denied any vote in this matter, would face enormous health costs from coal plants sited next to a pulp mill, in close proximity to schools and neighborhoods.

If this plant is approved, the PSC and county officials would have almost no future control over what this coal consortium could build on those 3,000 acres.

JOHN DICKERT
Perry

Johnw512@yahoo.com

RECEIVED

APR 02 2007

Florida Public Service Commission
Division of RCA

Governor Charles Crist

Florida Governor's Office
Capitol Building
Tallahassee, Florida

Local
CAS
OFFICE OF THE GOVERNOR
CITIZEN SERVICES
07 FEB 23 PM 1:50

Dear Governor Crist:

We need your help!! Please read the attached newspaper clippings which will give you some of the concerns that We, the citizens of Taylor County, are facing.

My sister and I have participated with others in our county who feel that a coal fired electric plant is a big mistake for this county.

We have pled with the Taylor County Commission to be democratic and let the community have a voice. They did not do so. We've had NO VOTE!

Now the decision is in the hands of the Public Service Commission. We have met with them and they have understood our concerns. However, they have postponed the final decision to do further consideration.

They will meet again on March 13, 2007.

We do not need or want an old fashioned coal-fired electric plant in our beautiful Tree Capital County!! This is our native land. We have resided here for most of our 160+years.

Thank You!!

Doris Kelynack
Doris Kelynack,

And
Polly Perkins
Polly Perkins

#635505 Kelynack, Doris
Recd: 3/7/2007 DEO: SKK
To: CAS-N/A -- PLEASE HANDLE
Due: 3/21/2007

RECEIVED

APR 02 2007

Florida Public Service Commission
Division of RCA

Kimberley Pena

From: Kimberley Pena
Sent: Friday, March 30, 2007 12:37 PM
To: 'Halpin, Mike'
Subject: RE: Dockets

I have found three active dockets (060635, 060642, and 070098) and your e-mail address has been corrected. Please let me know if I can be of further assistance.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Thursday, March 29, 2007 4:57 PM
To: Kimberley Pena
Subject: RE: Dockets

Thank you very much!

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]
Sent: Thursday, March 29, 2007 3:39 PM
To: Halpin, Mike
Subject: RE: Dockets

I will do a search and correct everyone of them. I will set up a Flagged entry so my staff only picks the amended (and correct entry) from the data base. Thank you for bringing this up to my attention.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Thursday, March 29, 2007 12:17 PM
To: Kimberley Pena
Subject: RE: Dockets

Kim –

Thanks you for all of your help in the past, and I have a related question:

I don't know if this is in your area or not, but I've observed that some parties list my e-mail address incorrectly.

By way of example, this filing <http://www.floridapsc.com/library/filings/07/02410-07/02410-07.pdf> submitted on March 16th by NRDC for Docket 060635-EU incorrectly lists my e-mail address as Michael.Halpin@dep.state.fl.us.

If parties do not send paper copies but only e-file, and if the e-mail addresses are incorrect, how can we get it corrected?

Thanks again

Mike

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]
Sent: Wednesday, January 31, 2007 8:13 AM
To: Halpin, Mike
Subject: RE: Dockets

Thank you, Sir. We will update our records per this e-mail.

*Done
03/30/07
KMP*

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Tuesday, January 30, 2007 10:35 AM
To: Kimberley Pena

Subject: RE: Dockets

Kim –

I had on my calendar to contact you about this – Buck Oven retires tomorrow, so can you remove his name and list me individually for the Siting Coordination Office?

This should go for any power plant/transmission line related cases.

Thanks much

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]

Sent: Friday, February 24, 2006 1:56 PM

To: Halpin, Mike

Subject: RE: OUC Need Petition

Done. Sir, feel free to contact me if you need further changes. I will contact you at the beginning of next year to check when it is appropriate for us to remove Mr. Oven.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]

Sent: Friday, February 24, 2006 1:24 PM

To: Kimberley Pena

Subject: RE: OUC Need Petition

My address and phone numbers are the same as Mr. Oven's.

Oh – I if I can be listed as Michael P. Halpin that would be best (versus Mike Halpin).

Thanks for your help.

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]

Sent: Friday, February 24, 2006 1:04 PM

To: Halpin, Mike

Subject: RE: OUC Need Petition

Mr. Halpin, is your address and fax number the same as Mr. Oven's? May I have your phone number?

From: Kay Flynn

Sent: Friday, February 24, 2006 10:24 AM

To: 'Halpin, Mike'

Cc: Kimberley Pena

Subject: RE: OUC Need Petition

We can update our records with this request, so you and Buck are both on the need determination docket mailing lists.

I'll ask Kim Pena, keeper of docket mailing lists, to start with Docket 060155-EM including you and Buck on the dockets (and I understand we'll be getting several more), then at the end of the year we'll drop Buck's name due to his retirement.

Kim, please note.

Kay

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]

3/30/2007

Sent: Friday, February 24, 2006 9:45 AM
To: Kay Flynn
Subject: RE: OUC Need Petition

For this docket, it would be best to add me and leave Buck as well. Regarding other power plant need determinations, will I need to contact you as each one arises, or is there a way I can be included with a single request?
Thanks

From: Kay Flynn [mailto:KFlynn@PSC.STATE.FL.US]
Sent: Thursday, February 23, 2006 3:30 PM
To: Halpin, Mike
Subject: RE: OUC Need Petition

Yes, we can add you as interested person in this docket.

Do we remove Buck's name, or simply add yours?

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Thursday, February 23, 2006 2:38 PM
To: Kay Flynn
Subject: FW: OUC Need Petition

Kay –

I've left you a voice-mail message related to becoming an "interested person" for Power Plant Need Determinations. This arose as a result of the e-mail chain below.

Can you assist in getting me designated as such? Afterwards, Buck can get himself removed from future lists.

Thanks
Mike Halpin
245-8993

From: Halpin, Mike
Sent: Thursday, February 23, 2006 1:44 PM
To: Martha Brown
Subject: RE: OUC Need Petition

Hi Martha –

I'm in a transition to replace Buck Oven, who is retiring at year's end. Can you help me with the below questions?

Thanks
Mike Halpin
245-8993

From: Tom Ballinger [mailto:TBallig@PSC.STATE.FL.US]
Sent: Thursday, February 23, 2006 1:17 PM
To: Halpin, Mike
Cc: Martha Brown
Subject: RE: OUC Need Petition

Confidentiality requests are becoming more common with need determinations, especially when a non-utility party is involved. In this case, Southern Power is the third party. I think as an interested person, you only get sent notices of meetings and such, but any public document is available to you. I also think if you call the clerk's office, they can get you down as an interested person. Remember, be careful what you ask for. Martha Brown, the attorney from our end, can clear up any muddy waters I may have left behind. Her number is 413-6187.

If you need anything else, please give me a call.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]

3/30/2007

Sent: Thursday, February 23, 2006 1:12

To: Tom Ballinger

Subject: Re: OUC Need Petition

Tom –

Buck couldn't answer these questions and suggested I contact you.

Can you assist?

Mike

From: Halpin, Mike

Sent: Thursday, February 23, 2006 12:09 PM

To: Oven, Hamilton

Subject: OUC Need Petition

Buck:

PSC's Docket number for OUC's Need Determination is 060155. According to PSC's website, you are listed as an interested person, but the filings are not downloadable as "Confidentiality" has been requested.

I have 3 questions for you:

1) Is it normal for Confidentiality to be requested with respect to Need Determinations?

2) As an "Interested Person" do you receive copies of the filings and subsequent relevant documentation (or, can you obtain documentation, and if so, how)?

3) Who designates you as an interested person; i.e., does Scott, does the applicant, does PSC procedure dictate that, or is there some other basis for it?

Among other things, I'm thinking about what it is that I will need to do to become that "interested person" for Need Determinations in the future

Thanks

Mike

State of Florida



Public Service Commission

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

DATE: February 21, 2007

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. 060635-EU, AGENDA HELD 02/13/07.

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.

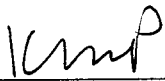
DOCUMENT No. 01660-07, 02-20-07

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:



JF/rIm

Dorothy Menasco

060694-WU

From: Patti Daniel
Sent: Wednesday, February 14, 2007 4:09 PM
To: Dorothy Menasco
Cc: Stan Rieger
Subject: RE: DN 01497-07

It goes in 060694-WU, D&E original certificate docket. Thanks.

From: Dorothy Menasco
Sent: Wednesday, February 14, 2007 3:35 PM
To: Patti Daniel
Subject: DN 01497-07

Hi Patti,

CCA has received a letter dated 2/9/07 from City of Bunnell (Johnson) with an attached water system Ordinance No. 2007-06. Should this be placed in undocketed matters or is there a specific docket that this should be applied to? If you are not the correct person to direct this e-mail to, could you please advise who I should send it to? Thank you for your help!

Dorothy

Kimberley Pena

060635

From: Donna Jones
Sent: Friday, February 09, 2007 2:22 PM
To: Commissioners & Staffs; All PSC Staff
Subject: ITEMS OF INTEREST AT UPCOMING AGENDA CONFERENCE 2/13/07

A press release was distributed this afternoon, 2/9/07 and is available on the website:

<http://www.psc.state.fl.us/home/news/index.aspx?id=226>



State of Florida
**Public Service
Commission**
NEWS RELEASE

2/9/2007

Contact: 850-413-6482

**ITEMS OF INTEREST AT UPCOMING AGENDA CONFERENCE
2/13/07**

TALLAHASSEE — The following items are among those scheduled for consideration by the Commission at the February 13, 2007, Agenda Conference:

ITEM 3: DOCKET NO. 060508-EI – PROPOSED ADOPTION OF NEW RULE REGARDING NUCLEAR POWER PLANT COST RECOVERY. The Commission will consider a staff recommendation proposing the adoption of a new rule as directed by statute to promote electric utility investment in nuclear power plants.

ITEM 4: DOCKET NO. 050805-EQ, 050806-EQ, 050807-EQ & 050810-EQ – PETITION FOR APPROVAL OF NEW STANDARD OFFER FOR PURCHASE OF FIRM CAPACITY AND ENERGY FROM RENEWABLE ENERGY FACILITIES AND APPROVAL OF TARIFF SCHEDULES BY GULF POWER COMPANY, FLORIDA POWER & LIGHT COMPANY, PROGRESS ENERGY FLORIDA, INC., AND TAMPA ELECTRIC COMPANY. The Commission will consider a staff recommendation addressing the outstanding protests of previous standard offer contracts (Order No. PSC-06-0486-TRF-EQ) and whether to direct IOUs to file new standard offer contracts by April 1, 2007.

ITEM 7: DOCKET NO. 060732-TL – COMPLAINT REGARDING BELLSOUTH TELECOMMUNICATIONS, INC.'S FAILURE TO PROVIDE SERVICE ON REQUEST IN ACCORDANCE WITH SECTION 364.025(1), F.S., AND RULE 25-4.091(1), F.A.C., BY LENNAR HOMES, INC. The Commission will consider a staff recommendation requiring BellSouth to provide service on request according to its Carrier of Last Resort obligation.

ITEM 8:

DOCKET NO. 060581-TP – PETITION OF ALLTEL COMMUNICATIONS, INC. FOR DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIER (ETC) IN CERTAIN RURAL TELEPHONE COMPANY STUDY AREAS LOCATED PARTIALLY IN ALLTEL'S LICENSED AREA AND FOR REDEFINITION OF THOSE STUDY AREAS.

DOCKET NO. 060582-TP – PETITION OF ALLTEL COMMUNICATIONS, INC. FOR DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIER (ETC) IN CERTAIN RURAL TELEPHONE COMPANY STUDY AREAS LOCATED ENTIRELY IN ALLTEL'S LICENSED AREA. The Commission will consider a staff

recommendation on whether the PSC has authority to designate Alltel as a wireless eligible telecommunications carrier.

ITEM 16: DOCKET NO. 060635-EU – 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. The Commission will consider a staff recommendation on a request for determination of need for a new 765 megawatt supercritical pulverized coal generating plant proposed in Taylor County.

ITEM 21: DOCKET NO. 060772-EG – PETITION FOR APPROVAL OF MODIFICATIONS TO APPROVED ENERGY CONSERVATION PROGRAMS, BY FLORIDA DIVISION OF CHESAPEAKE UTILITIES CORPORATION. The Commission will consider a staff recommendation to approve a petition by Chesapeake Utilities Corporation requesting modifications to several of its energy conservation programs.

The PSC is committed to making sure that Florida's consumers receive their electric, natural gas, telephone, water, and wastewater services in a safe, affordable, and reliable manner. The PSC exercises regulatory authority over utilities in the areas of rate base/economic regulation; competitive market oversight; and monitoring of safety, reliability, and service.

For additional information, visit www.floridapsc.com.

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Ruth Nettles

To: Kristen M. Standridge
Cc: Nonnye Grant
Subject: RE: Request for Docket 060635-EU and Docket 070098 Mailing List

Kristen, I will add Mr. Gross to Dockets 060635 and 070098 as interested person.

I'm forwarding this e-mail to Ms. Nonnye Grant for processing of the notices part of your request.

Thanks,

Ruth Nettles.

From: Kristen M. Standridge [mailto:kstandridge@earthjustice.org]
Sent: Thursday, February 08, 2007 4:35 PM
To: Records Clerk
Cc: Laura Ewan
Subject: Request for Docket 060635-EU and Docket 070098 Mailing List

Dear Clerk:

Per your website, please add the following attorney to the mailing list for dockets 060635 and 070098.

Michael A. Gross
Earthjustice
11 S. Martin Luther King Jr. Blvd
Tallahassee, FL 32301
850-681-0031 phone
850-681-0020 fax
mgross@earthjustice.org

In addition, can you please also add Michael Gross to all notices (workshops, hearings, rulemaking) pertaining to the electric and natural gas industry.

If you should have any questions regarding this request, please contact me directly at 850-681-0031 or kstandridge@earthjustice.org.

Thank you for your assistance.
Kristen Standridge

Kristen Standridge
Office Manager
Earthjustice
Post Office Box 1329
Tallahassee, FL 32302-1329
850.681.0031
850.681.0020
www.earthjustice.org

The information contained in this email message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

2/9/2007 Done
Michael A. Gross
sk
kmp

Kimberley Pena

From: Kimberley Pena
Sent: Wednesday, January 31, 2007 8:13 AM
To: 'Halpin, Mike'
Subject: RE: Dockets

Thank you, Sir. We will update our records per this e-mail.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Tuesday, January 30, 2007 10:35 AM
To: Kimberley Pena
Subject: RE: Dockets

Hi Mike –
 I had on my calendar to contact you about this – Buck Oven retires tomorrow, so can you remove his name and list me individually for the Siting Coordination Office?
 His name should go for any power plant/transmission line related cases.
 Thanks much

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]
Sent: Friday, February 24, 2006 1:56 PM
To: Halpin, Mike
Subject: RE: OUC Need Petition

Hi Mike. Sir, feel free to contact me if you need further changes. I will contact you at the beginning of next year to check when it is appropriate for us to remove Mr. Oven.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Friday, February 24, 2006 1:24 PM
To: Kimberley Pena
Subject: RE: OUC Need Petition

My address and phone numbers are the same as Mr. Oven's.
 I – I if I can be listed as Michael P. Halpin that would be best (versus Mike Halpin).
 Thanks for your help.

From: Kimberley Pena [mailto:KPena@PSC.STATE.FL.US]
Sent: Friday, February 24, 2006 1:04 PM
To: Halpin, Mike
Subject: RE: OUC Need Petition

Hi Mike, is your address and fax number the same as Mr. Oven's? May I have your phone number?

From: Kay Flynn
Sent: Friday, February 24, 2006 10:24 AM
To: 'Halpin, Mike'
 Kimberley Pena
Subject: RE: OUC Need Petition

We can update our records with the request, so you and Buck are both on the need determination docket mailing lists.

I'll ask Kim Pena, keeper of docket mailing lists, to start with Docket 060155-EM including you and Buck on the dockets (and I understand we'll be getting several more), then at the end of the year we'll drop Buck's name due to his retirement.

Kim, please note.

Kay

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Friday, February 24, 2006 9:45 AM
To: Kay Flynn
Subject: RE: OUC Need Petition

For this docket, it would be best to add me and leave Buck as well. Regarding other power plant need determinations, will I need to contact you as each one arises, or is there a way I can be included with a single request?
 Thanks

From: Kay Flynn [mailto:KFlynn@PSC.STATE.FL.US]
Sent: Thursday, February 23, 2006 3:30 PM
To: Halpin, Mike
Subject: RE: OUC Need Petition

Yes, we can add you as interested person in this docket.

Do we remove Buck's name, or simply add yours?

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Thursday, February 23, 2006 2:38 PM
To: Kay Flynn
Subject: FW: OUC Need Petition

Hi –
 I've left you a voice-mail message related to becoming an "interested person" for Power Plant Need Determinations. This arose as a result of the e-mail chain below.
 Can you assist in getting me designated as such? Afterwards, Buck can get himself removed from future lists.

Thanks
 Mike Halpin
 5-8993

From: Halpin, Mike
Sent: Thursday, February 23, 2006 1:44 PM
To: Martha Brown
Subject: RE: OUC Need Petition

Martha –
 I'm in a transition to replace Buck Oven, who is retiring at year's end. Can you help me with the below questions?
 Thanks
 Mike Halpin
 5-8993

From: Tom Ballinger [mailto:TBalling@PSC.STATE.FL.US]

Sent: Thursday, February 23, 2006 1:17
To: Halpin, Mike
Cc: Martha Brown
Subject: RE: OUC Need Petition

Confidentiality requests are becoming more common with need determinations, especially when a non-utility party is involved. In his case, Southern Power is the third party. I think as an interested person, you only get sent notices of meetings and such, but any public document is available to you. I also think if you call the clerk's office, they can get you down as an interested person. Remember, be careful what you ask for. Martha Brown, the attorney from our end, can clear up any muddy waters I may have left behind. Her number is 413-6187.

If you need anything else, please give me a call.

From: Halpin, Mike [mailto:Mike.Halpin@dep.state.fl.us]
Sent: Thursday, February 23, 2006 1:12 PM
To: Tom Ballinger
Subject: Re: OUC Need Petition

Tom –
Buck couldn't answer these questions and suggested I contact you.
Can you assist?
Mike

From: Halpin, Mike
Sent: Thursday, February 23, 2006 12:09 PM
To: Oven, Hamilton
Subject: OUC Need Petition

Buck:
PSC's Docket number for OUC's Need Determination is 060155. According to PSC's website, you are listed as an interested person, but the filings are not downloadable as "Confidentiality" has been requested.
I have 3 questions for you:
Is it normal for Confidentiality to be requested with respect to Need Determinations?
As an "Interested Person" do you receive copies of the filings and subsequent relevant documentation (or, can you obtain documentation, and if so, how)?
Who designates you as an interested person; i.e., does Scott, does the applicant, does PSC procedure dictate that, or is there some other basis for it?

Among other things, I'm thinking about what it is that I will need to do to become that "interested person" for Need Determinations in the future.
Thanks
Mike



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

DATE: January 22, 2007

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. 060635-EU, HEARING HELD 01/10, 11, 12 & 18/07.

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.

DOCUMENT Nos.

Day 1	00318-07 - Vol. 1 - No. of Pages	111
	00319-07 - Vol. 2 - No. of Pages	94
	00328-07 - Vol. 3 - No. of Pages	55
Day 2	00361-07 - Vol. 4 - No. of Pages	112
	00362-07 - Vol. 5 - No. of Pages	142
	00363-07 - Vol. 6 - No. of Pages	129
Day 3	00397-07 - Vol. 7 - No. of Pages	148
	00398-07 - Vol. 8 - No. of Pages	95
	00399-07 - Vol. 9 - No. of Pages	264
Day 4	00536-07 - Vol. 10 - No. of Pages	64
	00537-07 - Vol. 11 - No. of Pages	73

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

STATE OF FLORIDA

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

Public Service Commission

January 12, 2007

Virginia C. Dailey, Esquire
Hopping Green & Sams
123 South Calhoun Street
Tallahassee, Florida 32314

Re: Return of Confidential Document to the Source, Docket No. 060635-EU

Dear Ms. Dailey:

Commission staff have advised that Confidential Document No. 11539-06, filed on behalf of Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee, can be returned to the source. The document is enclosed.

Please do not hesitate to contact me if you have any questions concerning return of this material.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Cole".

Ann Cole
Chief of Records

KF:mhl
Enclosure

cc: Judy Harlow, Division of Economic Regulation
Jennifer Brubaker, Office of the General Counsel

RECEIVED

A large handwritten signature in cursive script, appearing to read "Daran W. Moore".

DATE

3/9/07

Kimberley Pena

060635

From: Donna Jones
Sent: Monday, January 08, 2007 1:32 PM
To: Commissioners & Staffs; All PSC Staff
Subject: Taylor Energy Center need determination hearing set for Wednesday

A press release has been distributed this date, 1/8/07, and is now available on the PSC website:

<http://www.floridapsc.com/home/news/index.aspx?id=213>



State of Florida
**Public Service
Commission**
NEWS RELEASE

1/8/2007

Contact: 850-413-6482

**Taylor Energy Center need determination hearing set for
Wednesday**

TALLAHASSEE — The Florida Public Service Commission (PSC) will conduct a need determination hearing Wednesday for a proposed electrical power plant in Taylor County, Florida.

This hearing provides the utilities, other interested parties, and the public the opportunity to present evidence and testimony concerning the need for the proposed plant. As part of the need determination process, the PSC must consider 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 expansions are the most cost-effective alternative available.

Only issues relating to the need for the proposed power plant will be addressed at this hearing. All members of the public who wish to offer testimony should be present at the beginning of the hearing set for the following time and location:

Wednesday, January 10, 2007

9:30 a.m.

Betty Easley Conference Center
Joseph P. Cresse Hearing Room (Room 148)
4075 Esplanade Way
Tallahassee, Florida

Environmental impacts and other issues related to the proposed plant and associated facilities will be considered by other agencies in separate public hearings.

The PSC is committed to making sure that Florida's consumers receive their electric, natural gas, telephone, water, and wastewater services in a safe, affordable, and reliable manner. The PSC exercises regulatory authority over utilities in the areas of rate base/economic regulation; competitive market oversight; and monitoring of safety, reliability, and service.

For additional information, visit www.floridapsc.com.

###

CORRESPONDENCE

060635

File Edit View Go Tools Actions Help Type a question for help

New Reply Reply to All Forward Find Type a contact to find

Folder List Mailbox - Matilda Sanders
Calendar
CCA-Records Procedure It
Contacts
Deleted Items
Drafts [2]
Inbox (9)
appt
Infected
Journal
Junk E-mail
Notes
Outbox [1]
Quarantine
Restored Items
Sent Items
Spam
Tasks
Search Folders
Mailbox - Filings@psc.state.fl.us
Calendar
Contacts
Deleted Items
Drafts
Inbox (5)
Infected
Journal
Junk E-mail
Notes
Outbox
Sent Items
Spam
Tasks
Search Folders
Public Folders

Look for: Search in: Inbox Find Now Clear Options

Filings@psc.state.fl.us - Inbox

Received	From	Subject
Date: Today		
Fri 1/5/2007 5:41 AM	MAILER-...	failure notice
Fri 1/5/2007 5:41 AM	Ramsey S...	Use them or lose them?
Date: Yesterday		
Thu 1/4/2007 8:21 PM	Victor Gr...	Comments on Docket 060668
Thu 1/4/2007 5:02 PM	Brett Paben	Docket No. 060635-EU
Thu 1/4/2007 5:01 PM	Griffin, K...	PSC JOINT FINAL EXHIBIT LIST WITH OBJECTIONS

failure notice
MAILER-DAEMON@mail.ctechnet.cz

Extra line breaks in this message were removed.

To: Filings@psc.state.fl.us

Hi. This is the qmail-send program at mail.ctechnet.cz.
I'm afraid I wasn't able to deliver your message to the following addresses.
This is a permanent error; I've given up. Sorry it didn't work out.

<qfiqvs@aplrix.cz>
This address no longer accepts mail.

--- Below this line is a copy of the message.

Items Online

Start Filings@psc... 7:09 AM

State of Florida



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

DATE: December 27, 2006

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. 060635-EU, PREHEARING HELD 12/21/06.

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.

DOCUMENT No: 11761-06, 12/26/06

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 "Oh", written in black ink.

JF/rlm

State of Florida



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

DATE: November 30, 2006

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. 060635-EU, AGENDA HELD 11/21/06.

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.

DOCUMENT No: 10750-06, 11/22/06

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:

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

JF/rlm

STATE OF FLORIDA



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

Public Service Commission

ADMINISTRATIVE

September 21, 2006

Carolyn S. Raeppe, Attorney
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314

Re: Docket No. 060635-EU

Dear Ms. Raeppe:

This will acknowledge receipt of a 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, which was filed in this office on September 19, 2006, 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

I:\Records\acklet-no-app2.doc

DOCUMENT NUMBER - DATE
05336 JUL-26
FPSC-COMMISSION CLERK

Ann Cole

060635-EU

From: Ann Cole
Sent: Monday, June 18, 2007 11:13 AM
To: Roberta Bass
Cc: William C. Garner; Jeremy Susac; Larry Harris; Samantha Cibula
Subject: RE: ATTN: Angela and Cathy: RE: Utilities face Problems in Central FL/Reedy Creek

Thanks, Roberta. This will be done today.

From: Roberta Bass
Sent: Monday, June 18, 2007 11:07 AM
To: Ann Cole
Cc: William C. Garner; Jeremy Susac; Larry Harris; Samantha Cibula
Subject: FW: ATTN: Angela and Cathy: RE: Utilities face Problems in Central FL/Reedy Creek

Good morning, Ann. Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
 Chief Advisor to Chairman Edgar
 2540 Shumard Oak Blvd
 Tallahassee, Florida 32399-0854

Office (850) 413-6016
 Fax (850) 413-6017
 Email Roberta.Bass@PSC.STATE.FL.US

From: john dickert [mailto:johnw512@yahoo.com]
Sent: Monday, June 18, 2007 1:15 AM
To: Allan Katz; Andrew Gillum
Subject: ATTN: Angela and Cathy: RE: Utilities face Problems in Central FL/Reedy Creek

SEE ARTICLE BELOW

Dear Commissioner Katz and Commissioner Gillum:

I was so grateful to see the *Democrat* front page story yesterday stating the City Commission is considering withdrawing from coal consortium! It's so good to see most commissioners now thinking along those lines. I thank you for your most important role in moving this forward for the good of people everywhere. Gov. Crist must be very proud!

The article (below) is enlightening about serious problems Reedy Creek and other central FL utilites now face re destruction of wetlands and overusage of water. If you received photos I sent yesterday of Taylor's dried up streams, you can see we have no water to spare. Steinhatchee can't find good wells for that community. Dixie's water problems have been in the news lately, commented on by Chas. Dean who's running for Senate.

Taylor has serious water shortage problems as do neighboring counties due to Buckeye's depletion of aquifer for over 53 yrs. . All the millions of gallons Buckeye uses per day is returned to the earth

6/18/2007

and Gulf as toxic effluent which pollutes our region and wells.

Buckeye could reclaim and reuse their water (could've done it for decades) but as one of my Buckeye employees have said that "It isn't cost effective." In other words the profits go into their pockets, not into pollution control. And DEP has not provided protection for the people in the past.---but all that may change with Gov. Crist. We hope.

Buckeye's pollution of residents' wells was reported by CNN and "60 Minutes" in the 90s. A very bad situation that City of Tallahassee shouldn't want to be party to. This whole idea of using land next to Buckeye for power plants was the brainchild of Buckeye ---a great idea for them to have another major polluter next door ---, a very bad idea any entity drawn into Buckeye's ongoing saga of problems and lawsuits.

TEC's proposed 3,000 acre site is 25% wetlands in an area with a very low water table due to Buckeye's pumping over 50 million gal. of water per day from Floridan Aquifer. This not only makes the land very prone to sinkholes (bad for storage of coal wastes which would inevitably end up in aquifer, (as EPA says **ALL liners leak over time.**) but it also would pose a huge problem and huge expense for any utilities that damage that swampy wetlands area, as we can see from article here. And Madison County has made it clear to Taylor they don't want any coal waste dumped by TEC in their County.

As article below points out, utilities may sound apologetic and say they didn't count on overusing water and other problems, but actually, from past experience, those utilities mentioned below probably knew what to expect from the getgo, just as JEA knows now. Which is why they want to do all this in our rural area . The same goes for Reedy Creek!! When our group in Taylor asked Reedy Creek officials why they didn't put the coal plant in Orlando, they told us they don't have enough WATER!! We don't either!

In Taylor, JEA and partners hope to get by with putting in coal plants, **knowing** there will be problems. This sort of thing happens all the time in Taylor and other rural counties where folks put in all sorts of things like docks, etc. (sometimes even without permits),-- then beg forgiveness afterwards!

However, massive coal plants are another matter and this should not happen. All parties should know ahead of time **exactly** what they are getting into. because the consequences are extremely costly for **taxpayers.**

Cities involved must realize it will cost a fortune to try to mitigate damage that can never truly be mitigated or fixed. The damage to the environment will be done.

Along with Susan Glickman of NRDC, those of us who've met with JEA over a two-year period repeatedly told Bud Para and JEA staff the truth--- that they could not find a worse place on earth to build a coal plant than near San Pedro swamp-- an area prone to sinkholes and loaded w/ exotic plants and animals that must be protected ----next to a highly polluting paper mill with huge problems --and near residents already sick from pulp mill emissions. We told them the people here don't want it. They refused to listen.

It has been truly sad to see, of the handful who've testified in Perry in favor of the coal plant, that some are known cancer survivors (mostly with affiliation with banks or big business)

At June 4, hearing **only two local (2) people** (besides Rick Breer of TCDA and a Chamber rep) spoke in favor of the plant --**compared to 63 others from Taylor and surrounding counties who testified against the coal plant(s).** **Despite overwhelming opposition, the Taylor Commission ruled in favor of land use amendments that stripped our comp plan of protections for the people and**

environment--no questions asked and no comments about citizens' concerns by our commissioners!

The two coal proponents featured on the front page of the June 5, *Democrat re; the amendments hearing* are **both cancer survivors**. To me, it's incomprehensible they could speak in favor of bringing in more cancer-causing pollution. One good thing I noted however is that extremely few are now willing to stick their necks out in favor of a coal plant. There were never more than 4 or 5 proponents speaking out, but now even fewer..

We pray these proposed plants will be denied.
(Please note article below)

Gale Dickert -
johnw512@yahoo.com

UTILITIES HAVE TO PAY 7M FOR WETLAND'S DAMAGE
wetlands1407 jun14,0,6188309. story

Utilities to pay \$7M for damage to area wetlands
Amy L. Edwards and Daphne Sashin
Sentinel Staff Writers

June 14, 2007

Five Central Florida utilities have agreed to pay nearly **\$7 million** to make up for damaging more than **500 acres of wetlands** in south Orange and Osceola counties by **pumping water from the Floridan Aquifer**.

As a condition of continuing to pump water from the aquifer, St. Cloud, Toho Water Authority, Orange County Utilities, Polk County Utilities and Reedy Creek Improvement District will restore and enhance about 1,700 acres of wetlands in east Polk County to compensate for the past and future damage.

The South Florida Water Management District governing board is expected to approve the mitigation agreements and the new water permits when it meets in Orlando today.

District officials say they **unwittingly allowed the over-pumping to occur** over the past couple of decades based on the best models available at the time. They didn't discover the damage until the utilities applied to renew their water permits a couple years ago. **By then, the district had a more sophisticated model to analyze the likely effects of past pumping.**

"I don't think anyone made an error. **The modeling of the past just did not reflect what we had seen happen,**" said Greg Boettcher, Polk County Utilities director. "Ultimately, as users, we have to take responsibility for any effects we cause."

While it's not common practice in Central Florida, the water-management district has made utilities in Miami-Dade **pay for past damage to wetlands even when the pumping was permitted. Other Central Florida utilities can expect the same treatment when they apply for new permits, district hydrogeologist Chris Sweazy said.**

"Every permit that's issued says you can't have harm to the wetlands," Sweazy said. "If monitoring

shows this wetland is being stressed more heavily than we thought it would . . . we can go back and ask them to fix [it]."

Water-management district officials say there is no single reason the 37 different wetlands totaling about 574 acres near the Osceola-Orange county line have gradually degraded.

Groundwater pumping damaged 80 acres of small, isolated wetlands near Reunion, according to a water-management district staff report. Pumping combined with historic development and drainage alterations likely harmed another 494 acres of wetlands south and west of Disney's Animal Kingdom, near County Road 545.

"It's a combination of all of the things that have occurred in this region," said Chip Merriam, the district's deputy executive director for water resources.

Many of the wetlands exhibit moderate to extreme signs of harm, including the conversion of wetland habitat to upland habitat, tree falls, and encroachment of exotic species.

The district and the utilities considered trying to recharge the wetlands by pumping in water from another source, but they concluded that a successful recovery couldn't be guaranteed.

The utilities agreed to pay for the restoration of about 1,700 acres of wetlands near Lake Hatchineha on property known as Rolling Meadows and the Allen David Broussard Catfish Creek State Park. Toho Water Authority also agreed to donate about 100 acres west of ChampionsGate.

The mitigation payments take into account some future damage to wetlands as a result of increased groundwater pumping. The utilities will also pay for 39 monitoring wells, to prevent additional harm.

The agencies must submit annual monitoring reports to the water-management district and reduce pumping or take other measures if they detect damage to the wetlands beyond what they have paid for. **If pumping creates further damage, the district can force a decrease in pumping.**

District officials say they must balance protection of the environment with the need to supply a growing area with water for the next 20 years. After 2013, the three water-management districts that regulate water use in the region have cut off any increases in the amount of water pumped from the aquifer, which provides most of the region's water supply.

Water managers say that any additional pumping will parch wetlands and lakes and reduce the water flowing from springs, including those that feed the Wekiva River and supply habitat vital to wildlife.

Four of the utilities have applied to increase their water consumption through 2026, by between 2.8 and 16.8 million gallons per day. Only one, Reedy Creek Improvement District, has applied to reduce its consumption. **After 2013, the utilities must find alternative water supplies to supplement their use of groundwater.**

Amy L. Edwards can be reached at aledwards@orlandosentinel.com or 863-422-3395. Daphne Sashin can be reached at [407-931-5944](tel:407-931-5944) or dsashin@orlandosentinel.com

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Timolyn Henry

From: Ruth McHargue
Sent: Tuesday, May 29, 2007 3:06 PM
To: Timolyn Henry
Cc: Matilda Sanders
Subject: 060635

Add to above docket file

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

From: Consumer Contact
Sent: Tuesday, May 29, 2007 8:40 AM
To: Ruth McHargue
Subject: FW: My contact

This is regarding the Taylor Coal Plant

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

From: Webmaster
Sent: Tuesday, May 29, 2007 8:38 AM
To: Consumer Contact
Subject: FW: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Sunday, May 27, 2007 11:12 AM
To: Webmaster
Cc: obrown@windstream.net
Subject: My contact

Contact from a Web user

Contact Information:

Name: Oliver Brown
Company: self employed
Primary Phone: 386-658-2380
Secondary Phone:
Email: obrown@windstream.net

Response requested? Yes
CC Sent? Yes

Comments:

The proposed Perry coal fired gen. plant will not be able to use expensive water treatment of Buckeye waste water or risking voiding of turbine mfg.'s warranty.

They just want permits after approval.

CMP _____
COM _____
CTR _____
ECR 1
GCL 1
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH _____

Ann Cole

060635-EU

From: Ann Cole
Sent: Monday, April 30, 2007 2:24 PM
To: Michael Cooke; Katrina McMurrian
Cc: Roberta Bass; Kay Posey; Jeremy Susac; Mary Anne Helton; Jennifer Brubaker; Martha Brown
Subject: RE: No to Coal!

Tracking:

Recipient	Read
Michael Cooke	Read: 4/30/2007 2:34 PM
Katrina McMurrian	Read: 4/30/2007 4:21 PM
Roberta Bass	Read: 4/30/2007 2:25 PM
Kay Posey	Read: 4/30/2007 2:35 PM
Jeremy Susac	Read: 4/30/2007 2:24 PM
Mary Anne Helton	Read: 5/1/2007 4:28 PM
Jennifer Brubaker	
Martha Brown	Read: 4/30/2007 2:28 PM

FPSC, CLK - CORRESPONDENCE		
<input type="checkbox"/> Administrative	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Consumer
DOCUMENT NO. <u>09034-07</u>		
DISTRIBUTION: _____		

A copy of this email will be placed in the correspondence files.

From: Michael Cooke
Sent: Monday, April 30, 2007 1:42 PM
To: Katrina McMurrian
Cc: Roberta Bass; Kay Posey; Jeremy Susac; Mary Anne Helton; Jennifer Brubaker; Ann Cole; Martha Brown
Subject: FW: No to Coal!

Commissioner McMurrian,

This is in response to your e-mail message to me below. It's not clear whether the web site link in question was sent in an individual capacity or not. Even assuming, worst case, that it was not, however, I have scanned the web pages and it appears they contain general allegations only about coal-fired generation. For example, they contain assertions about levels of emissions from coal-fired power plants, etc. (Some of these assertions are sourced to a Texas chapter of the Sierra Club.) I did not see anything specific to the Taylor County or Glades need determinations proceedings..

I believe reading the web pages would be similar to reading general news articles (i.e., items in the public domain) about coal-fired power plants. I'm not sure how much value there is in looking at the web pages, but I would not view doing so as an *ex parte* contact. If you decide to review the web site, however, care would need to be taken not to base a decision in a record proceeding on the allegations contained there.

While it would be difficult to put all of the information from the web site into the docket, we could file a copy of the transmittal e-mail (which contains the cite for the link to the web page). I will ask Ann Cole to put a copy of the transmittal e-mail into the correspondence files for the two need determinations. Please let me know if you have additional questions about this

Michael G. Cooke
 General Counsel

Florida Public Service Commission
 2540 Shumard Oak Boulevard
 Tallahassee, FL 32399-0850

5/2/2007

(850) 413-6199 - office
(850) 413-7180 - facsimile
mcooke@psc.state.fl.us

DISCLAIMER: 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 the media upon request. Therefore, your e-mail message may be subject to public disclosure. If you received this e-mail in error, please notify the sender by reply e-mail and then delete this e-mail immediately.

From: Katrina McMurrian
Sent: Friday, April 27, 2007 6:59 PM
To: Michael Cooke
Cc: Jeremy Susac; Kay Posey
Subject: FW: No to Coal!

Mike,

Would you please let me know if this is something I can review? I haven't looked at the website, but you can't miss the subject line. I just didn't know if this is an individual consumer or someone acting on behalf of a group. Please advise.

Thank you,

Katrina

From: Whitney Sickels [mailto:whitney@prioritymarketing.com]
Sent: Friday, April 27, 2007 2:25 PM
To: Office of the Chairman; Katrina McMurrian
Subject: No to Coal!

http://www.cleanskycoalition.com/flash_intro.html

Whitney Sickels
Media Coordinator
Priority Marketing of Southwest Florida, Inc.
8191 College Parkway, Suite 303
Fort Myers, FL 33919
p 239.267.2638 Ext 242
f 239.267.1811
www.prioritymarketing.com
whitney@prioritymarketing.com

5/2/2007



Ann Cole

From: Ann Cole
Sent: Monday, April 16, 2007 8:32 AM
To: Roberta Bass
Cc: William C. Garner; Jeremy Susac
Subject: RE: Fwd: Florida Ranks Fifth Highest in Nation for Cancer causing : Perry 45th among nations top 100 most polluted zipcodes

This is being placed in Docket No. 060635-EU today. Thank you.

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

From: Roberta Bass
Sent: Thursday, April 12, 2007 8:21 AM
To: Ann Cole
Cc: William C. Garner; Jeremy Susac
Subject: FW: Fwd: Florida Ranks Fifth Highest in Nation for Cancer causing : Perry 45th among nations top 100 most polluted zipcodes

Please place this e-mail in Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

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

From: john dickert <johnw512@yahoo.com>
To: Lisa Edgar; Matthew Carter; Katrina McMurrian
Cc: Charlie Crist <Charlie.Crist@myflorida.com>; Diana Sawaya-Crane <Diana.Sawaya-Crane@MyFlorida.com>
Sent: Wed Apr 11 16:37:49 2007
Subject: Fwd: Florida Ranks Fifth Highest in Nation for Cancer causing : Perry 45th among nations top 100 most polluted zipcodes

Perry 45th among nation's top 100 most polluted zipcodes -- and Perry is one of seven cities in FL with the dirtiest air.

Public Service Commission

Dear Commissioners:

Here is the recent press release (below this letter) from Environment Florida re: the Federal Toxics Release Inventory showing how extremely polluted Perry/Taylor County is. Perry is one of seven cities in FL with the highest pollution levels in Florida (and the U.S.). And, Taylor County ranks among top 100 most polluted zipcodes in the U.S.

The public has the right to know this critical information, but neither our local newspaper nor Taylor County Health Dept. will initiate publishing this, nor will Taylor elected officials inform citizens of these dangerous levels of pollution in Taylor County. Florida's DOH should ensure that this report is in every newspaper in Florida to alert citizens to environmental hazards that impact their health. Perhaps Gov. Crist will help make this information available in every community.

You will never know how much it means to the citizens of Taylor County that our PSC Commissioners and Governor Crist are showing they care about our lives, our

health, our environment and most of all, our children's future --- especially for low-income families who cannot afford to move away from pollution. On behalf of all those families, many of whom I know personally from my work with at-risk children's programs, I thank you all for having a heart for the people.

I pray Governor Crist will empower DEP to demand that industries immediately clean up their pollution within a short timeframe, starting with Taylor County! After generations spent waiting to breathe clean air and drink clean water, there is no time to waste, as people are dying NOW (and have been for 53 years) from life-robbing pollution. For too many years, government has not worked for the people. Gov. Crist is changing that and we'll be forever grateful. Florida ranks fifth in the nation for cancer causing chemical releases.

As Commissioners, you are doing your part to recognize these critical problems and to make a difference. I thank you. (The PRESS RELEASE on TRI is below)

Sincerely,
Gale Dickert - johnw512@yahoo.com
411 Plantation Rd., Perry, FL 32348
850-584-5555

Subject: BREAKING NEWS: Florida Ranks Fifth Highest in Nation for Cancer-Causing chemical releases
For Immediate Release: March 27, 2007
EPA Acts to Restrict Pollution Data Included in New Report (Environment

TALLAHASSEE - Exposure to dangerous toxic pollution from industrial facilities threatens communities all across Florida, according to a new report released today by Environment Florida.

The report, Toxic Pollution and Health, uses information from the federal Toxic Release Inventory (TRI) to analyze toxic pollution linked to serious health problems such as cancer, birth defects or neurological damage. Due to a recent EPA action restricting the public's right to know, today's report may provide one of the last complete pictures of toxic pollution in Florida.

Facilities in Florida released to the air and water more than 2,700,000 pounds of toxic chemicals known to cause cancer, making Florida the 5th highest state in terms of carcinogen emissions in 2004.

"This report confirms that communities in Florida are routinely put at risk by toxic pollution linked to serious health impacts," said Environment Florida spokesman Adam Rivera. "These toxic pollutants are the worst of the worst and pose tangible threats to public health that must be addressed."

"To address the potential health threats from toxic pollution, the public needs full information about what toxics are being released, where, and in what amounts," said Lois Gibbs, Executive Director of the Center for Health and Environmental Justice. "Unfortunately, EPA's attack on the public's right to know means that communities across Florida will be left in the dark about toxic pollution."

Florida also ranked 7th nationally in terms of states with the highest emissions of suspected neurotoxins and dioxins, dangerous and persistent chemicals that increase the likelihood of cancer and other debilitating effects. Florida also ranked 12th for states with the highest releases of suspected reproductive toxicants, as well as 21st for states with the highest releases of suspected developmental toxicants, which affect young children.

Florida exemplifies the report's finding that a relatively small number of communities often experience the bulk of these toxicant emissions. Seven Florida zip codes account for nearly 2,000,000 pounds-about a 75% share-of cancer causing chemicals released in the state. All seven zip codes rank in the top 100 zip codes nationwide for cancer causing chemicals, with Bryant ranking 4th; Clewiston, 35th; Perry, 45th; Orlando, 51st; Fernandina Beach, 59th; Panama City, 76th; and Cantonment, 88th.

In 2004, Palm Beach County ranked 8th nationally for total air and water releases of toxic pollution known to cause cancer, 15th nationally for reproductive toxicants and 55th for developmental toxicants. The largest

source of this pollution came from the United States Sugar Corporation facility in Bryant, Florida which released more than 700,000 pounds of carcinogens into the air and water. The US Sugar facility ranked third highest in the nation for highest emissions of carcinogens into the air and water.

Florida contributes seven counties to the national top 100 list in this category: Palm Beach, 8th; Nassau County, 46th; Hendry County, 48th; Taylor County, 57th; Bay County, 60th; Orange County, 64th; and Escambia County, 88th.

The federal Toxic Release Inventory is a public right-to-know program that requires industrial facilities to publicly disclose their toxic releases. In 2004, EPA reported that the TRI has helped to reduce toxic pollution by 57% nationwide since its inception in 1988. Despite this success, the EPA recently weakened the program by authorizing industrial facilities to withhold previously reported pollution information.

Florida Representatives Robert Wexler (Boca Raton) and Kathy Castor (Tampa) recently joined in challenging EPA's rollbacks by co-sponsoring the Toxic Right-to-Know Protection Act (H.R. 1055). This legislation would reverse the rollbacks to restore the lost data and ensure that communities have full and complete access to toxic pollution information.

"We call on Florida's entire congressional delegation to support the public's right to know and protect communities across Florida by cosponsoring this legislation," concluded Rivera.

NOTE: (To access full TRI report, go to:
<http://www.epa.gov/tri/index.htm>. Where it asks for zipcode, type in 32348 for Perry's report). For Jacksonville's info, use zipcode: 32206. To learn more call Mark Ferrulo at Environment FL.

To view a full copy of the report, please visit Environment Florida's website at www.EnvironmentFlorida.org

Environment Florida is a statewide environmental advocacy organization dedicated to clean air, clean water and open space.
Adam Rivera
Environment Florida Field Organizer
(p) 850-224-5944
(f) 850-224-1310
926 E. Park Avenue
Tallahassee, FL 32301

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Timolyn Henry

From: Ruth McHargue
Sent: Friday, April 13, 2007 12:01 PM
To: Timolyn Henry
Cc: Matilda Sanders
Subject: FW: My contact

Please add to the docket file.

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

From: Consumer Contact
Sent: Friday, April 13, 2007 10:06 AM
To: Ruth McHargue
Subject: FW: My contact

To CCA docket 060635

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

From: Webmaster
Sent: Friday, April 13, 2007 9:02 AM
To: Consumer Contact
Subject: FW: My contact

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

From: contact@psc.state.fl.us [mailto:contact@psc.state.fl.us]
Sent: Thursday, April 12, 2007 5:34 PM
To: Webmaster
Subject: My contact

Contact from a Web user

Contact Information:
Name: barry parsons
Company: EANoF
Primary Phone: 850 973-3351
Secondary Phone:
Email: barryandjudy@hotmail.com

Response requested? No
CC Sent? No

Comments:

I participated in the PSC hearings on the Taylor Energy Center coal plant proposal earlier this year. I will not be able to attend your upcoming hearing on the monster Glade County FP&L proposed plant, but I want you to know that many of us out here are COUNTING ON YOU to take the overdue initiative of just saying "NO" to coal. And for all the reasons we raised at the TEC application hearing, and more.

I find it not only unconscionable but downright unbelievable that this huge plant is even being seriously considered. I mean, 16 million tons per year of global warming carbon dioxide?

And the additional mercury? And cadmium and arsenic? And toxic coal slurry to dispose of? And massive increases to train traffic hauling in thousands of rail cars full of coal per week ?!

And as we have all learned from global climate change scientists across this globe, coal

CMP _____
COM _____
CTR _____
ECR 1
GCL 1
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH _____

plants are a prime source of green house gases that lead to increased hurricanes and rising sea levels.

It is the Florida of the future that will be hardest hit by global warming. How could you fail to act to stem that tide, now?

Especially when the world's leading climate scientist, our own James Hansen, has been almost literally screaming to the U.S. Congress to enact a NATIONWIDE BAN ON ALL NEW COAL PLANT CONSTRUCTION. I understand that, at one point, in frustration, Mr. Hanson actually said we further need to "bulldoze" all existing coal plants and get really serious about bringing clean energy online.

I am sure you are also aware the Supreme Court has just mandated EPA to clean up carbon dioxide which will come at great expense to FPL rate payers and all of Florida. They also ruled against Duke Power in NC making it more costly to upgrade and operate existing plants.

Even some of the the oil-rich Arab States are using new solar concentrators instead of fossil fuels for power!

Combined with existing energy sources, a gradual phasing in of the wide variety of alternative energy technologies would meet our needs here in Florida inexpensively for years to come while creating a sustainable network that does not go down with the grid, as my friend Deb Arnason says. And jobs with a future!

Please. Think through the significance of your vote. And of the likely support you will get from our new Governor. And, most of all, from the people of Florida, themselves.

Thank you for your efforts and concentrated attention you have given to coal plant issues in the recent past; and will give, I hope, in the near future.



CHARLIE CRIST
GOVERNOR

STATE OF FLORIDA

Office of the Governor

Citizen Services

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com

850-488-4441

850-487-0801 fax

March 28, 2007

ORIGINAL

060635-EU

RECEIVED PSC
07 APR -4 PM 12:55
COMMISSION
CLERK

Ms. Doris Kelynack
Ms. Polly Perkins
927 North Jefferson Street
Perry, Florida 32347

Dear Ms. Kelynack and Ms. Perkins:

Thank you for writing to Governor Charlie Crist detailing your concerns about a coal fired power plant in Taylor County. I appreciate your concern about this important issue.

The agency that regulates utilities is the Public Service Commission (PSC), which is an arm of the legislative branch of government. To assist you, I am forwarding your concerns to that office for review and response.

Again, thank for writing Governor Crist. Please do not hesitate to write again on matters of concern or interest to you.

Sincerely,

Rex T. Newman
Office of Citizens' Services

- CMP _____
- COM _____
- TR _____
- EG 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
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RN/cas

cc/enc: Public Service Commission
2540 Schumard Oak Boulevard
Tallahassee, Florida 32399-0850
(850) 413-6100

help!
Doris + Polly
"The Sisters in
Perry

There is no 'need' to burn coal for power

Despite much citizen opposition, the Taylor Energy Center partners are moving ahead. They have arrived at that step in the permitting process in which they must prove to the state Public Service Commission that there is a "need" for a big coal-burning power plant in Taylor County.

Usually, the certificate-of-need hearing is short and free of controversy, and the PSC says yes. This time, though, many opponents presented persuasive arguments against the plant based on adverse health effects, global warming effects, rail traffic, anticipated carbon emission penalties, and more. The commissioners wisely voted to postpone their decision for a month to weigh all the testimony.

Partners in the plant stated that they were already implementing all feasible alternative energy options and that they need the plant. Well, our city thought the same thing, until it hired clean-energy consultants and followed their recommendations. Now, Tallahassee has committed to obtaining 162 megawatts from efficiency improvements and 38 megawatts from clean biomass.

The other partners haven't

aggressively pursued all possible clean energy alternatives. Until they do, they are wrong to state that they "need" to burn coal for energy. The Public Service Commission should send them back to do their homework.

ELLIE WHITNEY
Big Bend Climate Action Team
ewhitney@comcast.net

Ignoring the right to breathe clean air

The State Comprehensive Plan (187.201(6)(b)2a) states: "Every Florida resident has a right to breathe clean air, drink pure water and eat nutritious food."

The citizens of Taylor County have a right to expect that any type of power plant sited here will be state of the art and the least-polluting possible. The proposed TEC plant does not meet these criteria. It is no consolation that we are being offered the cleanest version of dirty technology.

If approved, this plant will impact the quality of life in this community for generations.

And, the people of Taylor County were denied their right to vote on this very important issue.

CHRISTINE THOMPSON
Perry



Ms. Doris Kelynack
113 W Cherry St
Perry, FL 32347-1908



Ms Polly Perkins
927 N Jefferson St
Perry, FL 32347

Don't move pollution to another county

Thanks to the Public Service Commission for wisely postponing a decision on the Taylor coal plant. When considering costs, the impacts on human life are too important to ignore.

If cost matters, then the logical site for the plant would be Jacksonville, where coal barges are unloaded.

The real aim of parties involved in this coal consortium is to clean up and protect their own cities by "retiring" their old coal plants, while building new plants in Taylor County. This merely shifts pollution in Florida from one region to another, and places the heaviest health and environmental burdens on an already over-polluted rural county. Taylor County citizens, denied any vote in this matter, would face enormous health costs from coal plants sited next to a pulp mill, in close proximity to schools and neighborhoods.

If this plant is approved, the PSC and county officials would have almost no future control over what this coal consortium could build on those 3,000 acres.

JOHN DICKERT
Perry
johnw512@yahoo.com

Governor Charles Crist

Florida Governor's Office
Capitol Building
Tallahassee, Florida

Local
CAS
OFFICE OF THE GOVERNOR
CITIZEN SERVICES
07 FEB 23 PM 1:50

Dear Governor Crist:

We need your help!! Please read the attached newspaper clippings which will give you some of the concerns that We, the citizens of Taylor County, are facing.

My sister and I have participated with others in our county who feel that a coal fired electric plant is a big mistake for this county.

We have pled with the Taylor County Commission to be democratic and let the community have a voice. They did not do so. We've had NO VOTE!

Now the decision is in the hands of the Public Service Commission. We have met with them and they have understood our concerns. However, they have postponed the final decision to do further consideration.

They will meet again on March 13, 2007.

We do not need or want an old fashioned coal-fired electric plant in our beautiful Tree Capital County!! This is our native land. We have resided here for most of our 160+ years.

Thank You!!

Doris Kelynack
Doris Kelynack

And
Polly Perkins
Polly Perkins

#635505 Kelynack, Doris
Recd: 3/7/2007 DEO: SKK
To: CAS-N/A- -- PLEASE HANDLE
Due: 3/21/2007

#635988 La...n, Alexandria
Recd: 3/8/2007 DEO: CXH
To: CAS-N/A - PLEASE HANDLE
Due: 3/22/2007

environmental
CAS
OFFICE OF THE GOVERNOR
CITIZEN SERVICES
07 MAR -6 AM 10:37

Dear Governor Crist,

I Am writing today to Request that you please Revisit the FPL WCEC Power Plant in Loxahatchee, FLA. The proposed plant location is without a doubt a disaster in the making. The Arthur Marshall is 147,000 acres of what is left of open untouched land in Palm Beach County. This plant is 1000 feet north and 1/2 mile south of the 60,000 acre J. W. Corbett. Governor you can drink the water from the Corbett. When you put lives & wildlife in danger without thought to the consequences it is a crime and FPL is going to commit it to place 12.6 million gallons of diesel & at 35 mile 900psi natural gas pipeline within feet not miles of daily blasting is insane. There must be an alternate area where this can be placed without endangering lives. The map in FPL's application did not show the 45,000 residents of Loxahatchee & the acreage. Our lives should be worth something. I want you to ask FPL what their actuaries came up with as compensation for the disaster that is going to happen.

FPL knows the answer but doesn't care. The financial windfall is just too great. There are monthly if not weekly incidents of explosions & leaks of pipelines. If we can afford tragedy we should at all costs. This plant is one of those disasters. I can ask anyone if you put 12.6 million gallons of diesel and a 900psi natural gas pipeline between two blasting operations what do you get? The answer 100 percent of the time kaboom, a nightmare, a disaster. Believe me I ask everyone and they see it. Why couldn't the sitting board? Please I'm begging you as our Governor and as a lawyer to know that this plant will destroy lives and the Everglades that we the taxpayers are spending 12 billion dollars to save. The fact that we paid 212 million dollars to Enrique Tomeru for 1272 acres of water storage for the CERFP project at the PITS is nuts. And to see the FPL plant using it for a waterfront view is a travesty. The potential for contamination is enormous. This plant is a Molotov cocktail in the making. Please review the enclosed package: it includes the federal plea agreement of

OUR Commissioner Tony Masi Lotti
which clearly states that Enrique Tome
owner of The Palm Beach Aggregates Pits
paid the Commissioner and probably
others on the PBC Commission to place
this plant at this location. All I ask
is a review and place on hold all construc-
tion until all questions can be answered
& our minds can be assured. Please
respond & act before one shovel of
dirt is turned.

Thank You
Alexandria Larson
16933 W. Harlea Dr
Loxahatchee, Fla.
33470

561-791-0875

P.S. Governor I gave up my job 4 years
ago to try and save what is left of
Palm Beach County I am not paid by
anyone. My activism as a preservationist
has come at a great personal cost.

Printed in the
April 8, 2006 Issue of Wellington Town
Crier

FPL Power Plant Plan A Problem

In reference to Matt Auerbach's FPL article last week (*FPL: Power Plant Needed Due To Palm Beach County's Growth*, April 1), I think a few facts were overlooked.

This FPL plant is a Molotov cocktail in the making, and here's the recipe: 1) A natural gas pipeline, 2) 12.6 million gallons of diesel fuel to be stored on site, and 3) Last but not least, Palm Beach Aggregates has a blasting permit good until 2032.

I'm glad to see this is of no major concern of the Palm Beach County commissioners or the Indian Trail Improvement District or anyone else for that matter. This was illustrated when the commissioners voted to build Highland Dunes (the more appropriate name is *Highlands Booms*) right at the base of this power plant. Right now, the DEP is taking public comment through April 9 on issuing a permit for the WCEC FPL Plant in which they neglected to list the residents of the Loxahatchee/Acreage area who are within 3,000 feet of this lovely addition. They said the closest municipality was Wellington (five miles away) they even sent letters to the mayor of Royal Palm Beach and Wellington, but did not extend the same courtesy to the people who will be directly affected by impacts of a power plant bigger than the Turkey Point and Treasure Coast plants combined. The stacks alone are 149 feet high and there will be 12 of them spitting out some lovely emissions, such as 40 tons of sulfuric acid mist, 220 tons of particle matter, etc... This is something that we have not been exposed to before, and I certainly do not want to be exposed to now.

The fact of the matter is we were never supposed to have a power plant in our

area. The 1989 Comprehensive Plan said, so but the commissioners saw things differently and changed the rules. This is done quite frequently. The funny thing is the Port St. Lucie County commissioners voted against building an FPL plant just recently. They ran the meeting until 5 a.m. I wish our commissioners had that foresight and intelligence to say no to this one. The FPL plant in Riviera Beach is the most polluted in the State of Florida and here we are letting them (FPL) continue to pollute our area without question or concern for the safety, health and well being of the residents. This facility will not be of benefit to us. This is for new units (660,000 to be exact), not to help us when our lights are off for 12 days after a hurricane or to make it more efficient for existing customers. We're even letting FPL use the rock pits we paid \$212 million allegedly for the Everglades project in December 2004, care of the South Florida Water Management District.

We are so generous. Elected officials come up with a plan, and Jane and John Q. Taxpayer foot the bill. We need to take a stand, and the time is right now. I wonder where the City of West Palm Beach is on this one? Their drinking water comes from the M-Canal, that is connected to the pits through the L-8, and I doubt we really would want this water going through the canals such as the M-Canal or C-18 and the M-2 system for that matter. Go online to DEP and read the permits — this is excellent reading. Also, I'll list the phone number in Tallahassee: 1-850-921-9523. Start yelling. By the way, where is our commissioner?

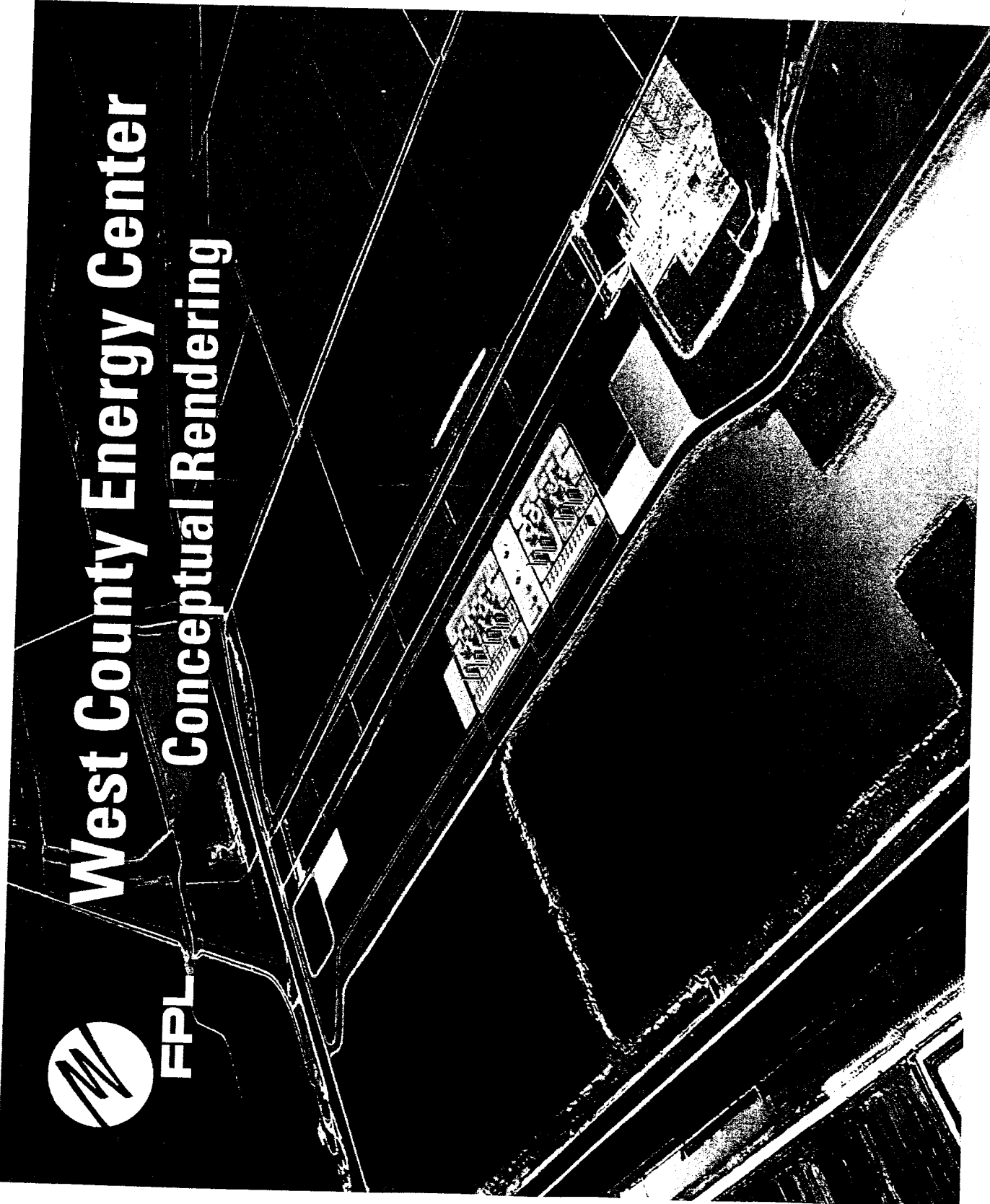
**Alexandria Larson
Loxahatchee**

FPL
EX RZ-2C

West County Energy Center Conceptual Rendering



FPL



1242 Ave

CLFPT

Water

Boiler

12

The water
front

View for
FPL Plant

\$100,000 and allowed the purchase of 60 acres of land for \$1.8 million. This option was never recorded with the Palm Beach County Clerk of Court. Anthony Masilotti and Paul Masilotti decided to form a trust, the ARM Family Land Trust, that would list Paul Masilotti as the sole beneficiary, but in reality would be used to hide Anthony Masilotti's concealed partnership interest with Paul Masilotti in the option agreement.

16. Shortly after receiving this option, Masilotti first voted before the Board of County Commissioners to allow Aggregates to have Florida Power and Light build a power plant on a different portion of Aggregates property within Palm Beach County. Masilotti voted on this measure in February 2004 without disclosing to the public that he and his brother Paul Masilotti had a concealed financial interest in the Aggregates property holdings.
17. Next, Anthony Masilotti appeared as a County Commissioner at a meeting of the Village Council for the Village of Wellington, and advocated for the annexation of the Palm Beach Aggregates' 1,200 acre parcel by the Village of Wellington. Masilotti knew at the time that such annexation would allow for residential development of the 1,200 acres of land owned by the Aggregates, and that accordingly the value of the 1,200 acres would greatly increase. Masilotti was aware that the Wellington Village Council voted to table the proposal to annex the Aggregates land.
18. Less than two weeks after the Wellington Village Council tabled the annexation proposal, Masilotti participated in a meeting of the Palm Beach County Commission where a discussion ensued regarding the possibility of giving Palm Beach Aggregates the same residential development rights as might be granted by Wellington, but only if the Aggregates agreed to stay in unincorporated Palm Beach County. During this discussion and the meeting of the Commission held on April 22, 2004, Masilotti intentionally failed to disclose that he held a concealed financial interest in the 1,200 acres of land being considered.
19. In the Fall of 2004, Masilotti traveled with Paul Masilotti and David Lee to Micco, Brevard County to look at certain undeveloped real property. Masilotti saw a 300 acre tract lying north of Micco Road and west of U.S. 1. Subsequently, Anthony Masilotti looked at the same property with Lee and Tomeu. Shortly thereafter, the Aggregates purchased that property through Micco Eastern Holdings, LLC ("Micco Eastern") in February 2005 for approximately \$7.7 million. In March 2005, Lennar Homes signed a contract for the purchase of the 1,200 acres from Palm Beach Aggregates for \$300 million.
20. In April 2005, the ARM Family Land Trust agreed to release its option to buy 60 acres of land inside the 1,200 tract. In exchange for the release of the option, Palm Beach Aggregates, as the sole member of Micco Eastern Holdings LLC, agreed to transfer 100% beneficial control and ownership of Micco Eastern to the ARM Family Land Trust. No deed was recorded in Brevard County to reflect this change in beneficial ownership. As a result of this transfer and exchange, Anthony Masilotti's interest remained concealed at all times, and that for payment of \$100,000, Anthony Masilotti and Paul Masilotti controlled property

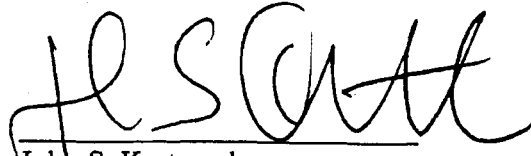
through Micco Eastern worth approximately \$8 million.

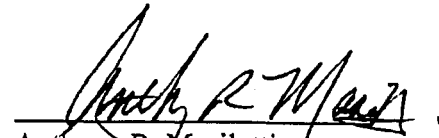
21. As to Masilotti's federal personal income taxes, Masilotti and Miteff impaired and impeded the lawful function of the Internal Revenue Service in the ascertainment, assessment and collection of federal personal income taxes due and owing by Anthony Masilotti for calendar year 2004, by failing to report the approximate \$50,000 payoff from Daniel Miteff and also by deducting as business expenses approximately \$29,000 in gambling debts. The total tax due and owing by Masilotti for 2004 is approximately \$28,512.00.

Respectfully submitted,

R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY

By:


John S. Kastrenakes
Assistant U.S. Attorney


Anthony R. Masilotti
Defendant

Federal Energy Regulatory Commission
Office of Energy Projects
Division of Gas – Environment & Engineering
Gas Branch 3

January 29, 2007

Mrs. Larson
16933 West Harlena Drive
Loxahatchee, FL 33470

RE: Gulfstream Phase III Project in Martin and Palm Beach Counties, FL

Dear Mrs. Larson:

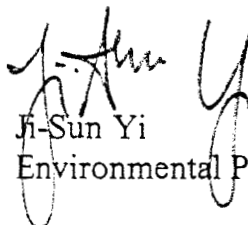
Enclosed are the hard copies of the materials you requested and that are available as public record under FERC's eLibrary. Specifically, they include:

- Notice of Intent
- Comments from development firms Lake Point, LLC and Mayaca, LLC
- Response to above comments from Gulfstream Natural Gas System, LLC
- Agency comments from the Florida Department of Transportation

On page 5 through 7 of the Notice of Intent, you will find instructions on how to file comments on this project. Please direct all future comments to the Secretary, in order that they may be filed and responded to appropriately. Future requests of hard copy materials and other information may be directed to the Office of External Affairs, at 1-866-208-FERC (3372).

Unfortunately, we do not have a record of names of those who attended the site visit/public meeting in late September 2006. Also, since we do not have jurisdiction over the Florida Power & Light Company's construction of the West County Energy Center, we do not have the blasting requirements that you inquired about.

Sincerely,


Ji-Sun Yi
Environmental Project Manager

Spoke to
Mark Hiresfeld
March 2, 2007.



Nathaniel P. Reed
Hate Sound, FL 33475

Feb. 22, '07

Dear Nat,
At risk of being repetitive, I must state the "why" of Audubon of the Everglades position on the siting of the EAA. To the east: a 500 kv line with power. To the west: a major FPL generating plant proposed using four fuel; west: a major FPL plant using four fuel proposed. There is no plan for the future of the EAA.

P. Bah Co. abandonment of the section plan for the future western development. Stalling and confusion of ignorance in limiting and management of future impacts of waterborne deep rock mining (needed for road building) in the EAA. State and funding of the (new) Westwater Dike by the Corps. Same for a private 30 mile pipeline



The Audubon Society of the Everglades

through the EAA to eventually supply water to Dade.

No commitment on when the Corps will fulfill its obligation for a reservoir north of the Holy Land in the EAA.

The dismay of listening to Eric Draper dismiss the Everglades Coalition resolutions against facilitating the servicing possibly one million new people in critical Everglades Restoration area.

The justification being that there are already "powerplants" in the EAA. There are two very minor plants that burn bagasse - not fossil fuel - as far to the north as possible. Not adjacent to the struggling Refuge. Acid rain, SO₂, CO₂, & Hg in particular will increase downward: the Refuge!



The Audubon Society of the Everglades

Audubon of FL ; what are you thinking?

AOF has joined the politicians in an apparent disconnect between the cost and ability to buy land needed for restoration, and aiding and abetting these spiralling costs by accommodating more intense use of the land.

The Refuge will rival that cover of the Nat'l Geographic (Oct. '06) depicting the smoke stacks towering over the Glen Canyon National Recreation Area. That was one great but disturbing edition of the Geographic.

"Rolling over" does not have to accompany ~~it~~ not winning a battle.

Regards as always -
Pete Amador.



Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

February 1, 2007

The Honorable Nathaniel P. Reed
Hobe Sound, Florida

Re: FPL West County Energy Center
Loxahatchee, Florida

Dear Mr. Reed,

As the governmental liaison for the Fox Trail Property Owners' Association, I am privileged to write you to share our residents' concerns with the proposed FPL West County Energy Center.

Fox Trail is an equestrian-friendly community located on Southern Boulevard, directly fronting the Lion Country Safari Theme Park in the unincorporated central-western area of Palm Beach county called Loxahatchee. Fox Trail was platted in the early 1970s and consists of 212, 5-acre lots that exist on private wells and sewer. The proposed FPL West County Energy Center will be located approximately 2.1 miles west of Fox Trail.

Briefly, I will summarize the concerns that I voiced in regards to FPL's Certification Application at the Administrative Hearing:

- (1) The application states that the predominant land use out to a 5-mile radius is mining/agriculture and refers to one residential area .75 miles northeast of the plant's site. The application omitted the following residential communities comprised of approximately 6000 residents – Deer Run, White Fences, Fox Trail, The Acreage and Loxahatchee Groves. Furthermore, on January 5, 2006, the Palm Beach County Board of County Commissioners approved a 2000-home PUD, Highland Dunes, on a former Palm Beach Aggregates mining site just east of the L-8 canal, and only .25 mile from the proposed FPL West County Energy Center.
- (2) The application states that FPL selected this particular site because the property is located in an "industrial area". This property is not in an "industrial area". Rather, its land use designation is RR-10 (Rural Residential 1 unit per 10acres) and the zoning district is SA (Special Agriculture). The designation for a power plant on this site was a zoning exception approved by the Palm Beach County Board of County Commissioners. Furthermore, in August 2002, the PBC BCC amended their zoning regulations to no longer permit power plants in areas zoned residential.
- (3) The application's data used for Weather Factors regarding emission of pollutants is outdated, ranging from 1948-2000. The application acknowledges over 4000 tons of deterioration emissions yearly. It is well documented that temperature changes, including

global warming, have had adverse affects on weather, which can negatively impact the effect of emissions on surrounding populations, both wildlife and human. Furthermore, FPL will be permitted to store distillate fuel oil to be used as a back-up fuel source for 500 hours per year. The application does not stipulate under what criteria this fuel will be used, nor how these emissions will be monitored. There are significant environmental areas that may suffer irreparable harm from these emissions: the L-8 canal wildlife corridor (.25 mile to the east), the J.W. Corbitt Wildlife Natural Area (to the north) and the Arthur G. Marshall Loxahatchee National Wildlife Refuge (to the south).

- (4) The application justifies this site for the proposed FPL West County Energy Plant by stating that the property is "accessible to Florida's existing natural gas pipeline network". There is no existing natural gas pipeline network within this area. Gulfstream Natural Gas Systems LLC, has been contracted to bring a pipeline that runs through the Gulf of Mexico into Tampa Bay through Hardee, Highlands, Okeechobee and Martin Counties. Gulfstream will extend the pipeline approximately 35 miles south from Martin to Palm Beach County (8.8 miles in Martin County and approximately 26.2 miles in Palm Beach County). Gulfstream will exercise eminent domain powers to obtain the necessary land to lay the pipeline.
- (5) The application does not adequately address the environmental concerns regarding the blasting that Palm Beach Aggregates is permitted to do through 2032 as it relates to its mining and excavation operations, in relationship to the 12.6M gallons of diesel fuel that FPL will be storing on site in three storage containers. Also of concern is the proximity of the natural gas pipeline to the diesel and the blasting activities.
- (6) The application refers to the usage of 6.5 billion gallons of water per year and 21 million gallons of water per day regarding the use of the site's deep-well injection. Such consumptive use of water for the operation of the FPL West County Energy Plant is of grave concern as it relates to surrounding residents' private wells and sewers, and the effects such consumptive water use may have on surrounding wildlife habitats and water storage areas designated for Everglades restoration. The application does not specify any mitigation measures regarding the drying up or collapsing of private wells nor the deterioration/extinction of existing habitats.

Thank you for taking the time to explore our concerns. I appreciate your taking a moment out of your busy schedule to consider the implications of the proposed FPL West County Energy Plant.

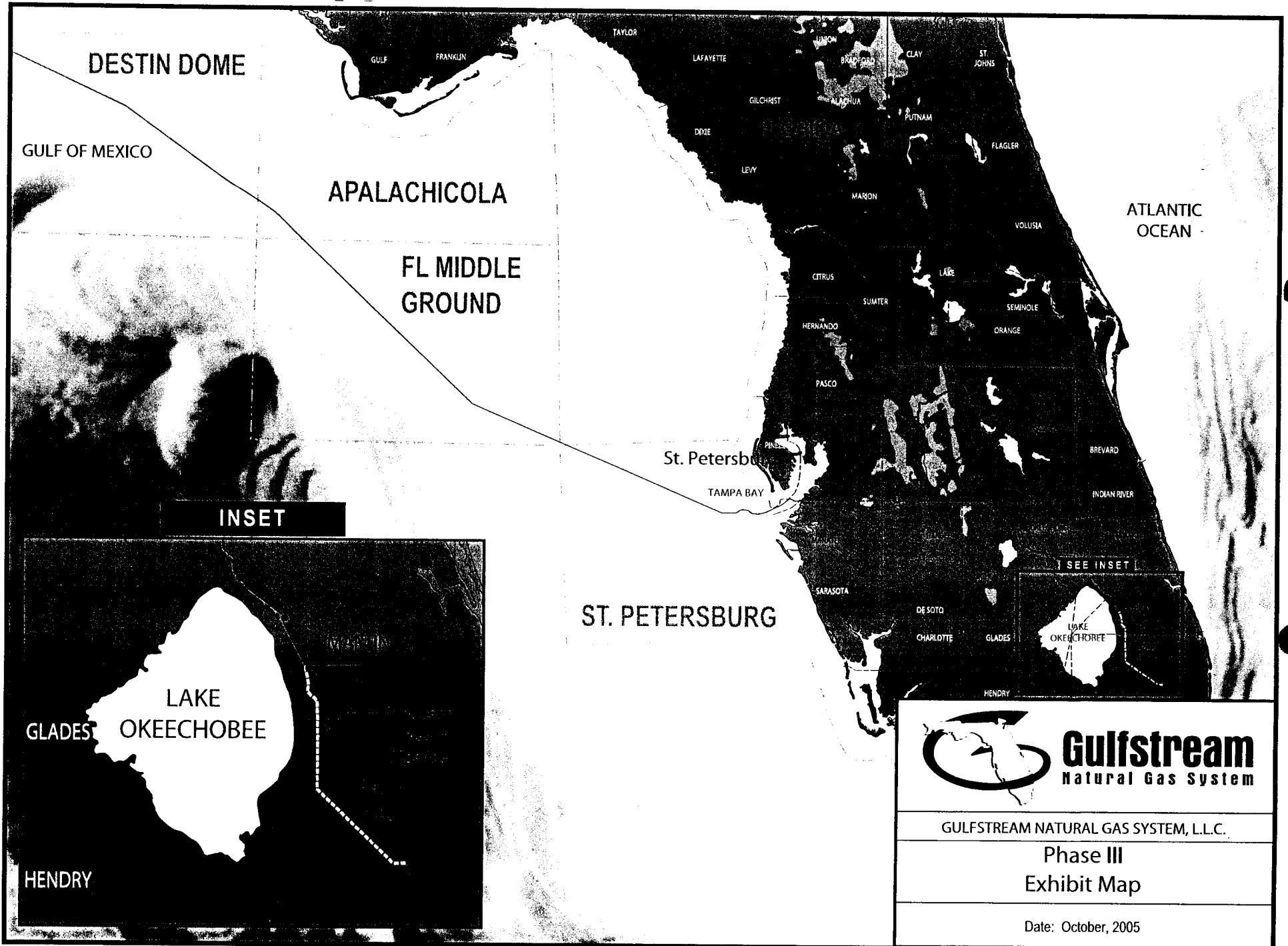
Please allow me this time to also thank you for your years of service dedicated to the protection of the environment and Florida's treasured Everglades.

With Sincere Regards,



Nancy Gribble, Governmental Liaison
Fox Trail Property Owners Association

Enclosure



Gulfstream
Natural Gas System

GULFSTREAM NATURAL GAS SYSTEM, L.L.C.

Phase III
Exhibit Map

Date: October, 2005

The Palm Beach Post

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Too-wide State Road 80 means too many people

The Wellington-Royal Palm Beach-Acreage area has crowded schools and crowded roads. It will be hard enough to fix those problems if land now used for farming stays farmland. It will be impossible if farmland is converted into homes.

Yet, last week, the Metropolitan Planning Organization approved 10 lanes of highway or transit for Southern Boulevard between State Road 7 and Forest Hill Boulevard — two more than in the county's comprehensive plan.

"I wonder when we will ever learn?" asked Dan Cary, planning director for the South Florida Water Management District. Good question. For decades, Palm Beach County had sprawled relentlessly westward, gobbling up farmland and draining wetlands. This year, the county will spend \$43 million, two-thirds of that from fuel taxes, on roads.

Six of the seven elementary schools serving the area are crowded. Acreage Pines has more than twice the number of students that can be accommodated in permanent classrooms. H.L. Johnson and New Horizons have nearly twice as many. Wellington Landings Middle School is at 155 percent of capacity. Wellington High is at 140 percent.

The county must accommodate up to 10,000 more families in The Acreage, because those land owners have the right to build. But large pieces of farmland in the area, such as Callery Judge Groves, the Walsey tract and Mecca Farms, total nearly 13,000 acres. At one home per acre, that's another 130,000 auto trips per day and 7,800 students.

The school system would need \$100

Expansion to 10 lanes will mean unanticipated development in the worst possible area.

County Commissioner Ken Foster, a member of the MPO board, says owners of Callery Judge and the Walsey property have expressed interest in development. But County Commissioner Carol Roberts, another MPO member, points out that Callery Judge just built a packing house. "I don't see massive development in the next 20 years," she said.

There is some confusion as to what the MPO actually did. Ms. Roberts, who made the motion, says the board voted for six lanes (up from the current four), a two-lane service road and room for mass transit. "I think we've got to have people understand they must get out of their cars," she said.

But that's an argument for building transit in place of traffic lanes, not in addition to them. If there are enough roads to accommodate development of the farmland, the county will be hard-pressed to deny development.

The MPO doesn't build roads, but its opinion is very influential. The project "will be given serious consideration" for the Florida Department of Transportation plan to be adopted in July, said the DOT's John Anderson. If so, the work probably would be done within five years.

Southern Boulevard cannot be held

Assault on The Acreage

Palm Beach County's land-use advisers are doing for growth management what the medfly is doing for the state citrus industry.

They want to cover areas north and west of Royal Palm Beach with so-called "new towns" that concentrate development in a few places. Traditional suburban sprawl spreads like peanut butter, gobbling up open space and creating costly demands for services.

In theory, "new towns" in suburbs attract jobs, thus cutting traffic by allowing people to shop and work near where they live. As with most good ideas in planning, some developers and their allies have been busy trying to exploit it. Enter the Land-Use Advisory Board, which has been operating more like a wing of the development industry. Last week, the board endorsed a proposal by Chairman John Corbett that new towns be created on 13,000 areas near The Acreage now given over to agriculture. "We have a unique opportunity," Mr. Corbett said. "We can satisfy not only our goals but the goals of the community."

The board seems to believe that land should be rezoned if its owner wants it rezoned. If you're going to follow that logic, why plan at all? Beyond that, these "new towns" wouldn't reduce sprawl. Instead, they would worsen sprawl in and around The Acre-

A pleasant-sounding plan for 'new towns' is just a ploy to undermine growth management in a critical area.

age. They do not replace the existing "peanut butter;" they just make it crunchy. "There needs to be countryside between these places," says Michael Busha, director of the Treasure Coast Regional Planning Council.

The 13,000 new homes contemplated are not considered in any county or school plan. Royal Palm Beach is concerned about additional traffic. As for the cost, estimates for the Agricultural Reserve Area suggest that 13,000 homes there would require \$100 million in roads and schools alone. Palm Beach County already has 23,000 schoolchildren in portable classrooms.

Anyone wanting to develop a new town can find plenty of places well east of The Acreage. The advisory board's "recommendation" is a ploy to undermine growth management — with taxpayers getting the bill. The county commission can stop it on July 22 by rejecting the idea. If the commissioners go along, they should at least acknowledge how much this peanut-butter surprise will cost their constituents.

'New towns,' old ruse

Palm Beach County commissioners have several good chances this week to keep growth from overwhelming the county.

In hearings beginning today, commissioners will consider a list of changes to their land-use map, which guides planning. One change would allow a 150,000-square-foot shopping center and 284 homes on Northlake Boulevard near The Acreage.

On Tuesday, commissioners will consider a Land-Use Advisory Board suggestion that they explore creation of "new towns" — supposedly self-contained developments — at one home per acre on 13,000 acres near The Acreage.

Both Northlake projects would be on the north side of the road west of the West Palm Beach Water Catchment Area, which feeds the city's reservoir. The homes would be across the road from Ibis Golf and Country Club and the shopping center just to the west. There is no need for either project, and both are in an area designated to remain rural in the North Palm Beach County/South Martin County Planning Forum.

The changes would be "leapfrog" development, a classic planning mistake in which remote areas are developed while vacant land closer to existing cities is passed over.

The Acreage, itself one of the county's worst examples of sprawl, may need more commercial development when it is built out, but the Northlake property is not well located for that purpose. Commercial development planned for Ibis will meet the needs of the immediate area.

→ "New towns" are another non-answer to commercial needs in The Acreage. As proposed, they would in fact create new needs. New towns work only in areas not yet developed, where they can be surrounded with open

From growth near The Acreage to chipping away the Ag Reserve, commissioners are being asked to ruin planning.

space. This plan is simply a ruse to increase the value of the 13,000 acres.

The Northlake projects and "new town" proposals are just some of the problems commissioners need to avoid. The potential for disastrous development in the Ag Reserve still looms, even though Charles and Helga Marqusee last week withdrew their request to remove their 40 acres from the reserve.

The Marqusees haven't given up; they've just delayed the request. And the lobbying to break up the 20,500-acre Ag Reserve apparently is working. An advisory panel voted 7-6 to remove the Marqusee property.

If county commissioners do that, how can they refuse J. Clinton Scott the next time he tries to get his 120 acres removed? The Scott property is separated from the Marqusee property only by the right of way for the Lyons Road extension. And after the Scott property, then what?

Commissioners have said they want to save the Ag Reserve from development but never have put up money to buy development rights. It will be even worse if they now start actively dismantling the reserve.

Long-range plans by Palm Beach County and the school board don't account for development in the Ag Reserve or around The Acreage. Who will pay for the schools, roads and libraries needed to serve these people, and how? The county commission should not make planning decisions that make county residents pay for too-rapid growth.

7-21-97 Post

9-17-96 PB Post

County limits blasting at quarry site

The code lets the company expand but cuts operations to weekdays between 10 a.m. and 5 p.m.

By **ANGIE FRANCALANCIA**
Palm Beach Post Staff Writer

LOXAHATCHEE — Round-the-clock operations at the huge GKK Corp. quarry must stop because of a law the Palm Beach County Commission adopted Monday.

But because GKK may otherwise continue to blast lime rock from the earth — and pursue expansion plans — the changes to the county's land development code are only a partial victory for neighbors in Deer Run, White Fences and Fox Trails whose homes have vibrated the past three years. The closest residents live less than a quarter-mile from the operation. The L-8 Canal is the only separation between the neighborhood and the quarry.

"It's a start," said Commission Chairman Ken Foster. He promised residents more regulations and warned GKK officials that he would push for high fines — such as \$5,000 per blast — if the company violates the ordinance.

The commission also outlawed excavating businesses in Jupiter Farms unless they have direct access to Indiantown Road. The

Delk excavation on Lox Road, which supplies road material to the county, can continue to operate.

The land development code now permits GKK, which owns about 3,000 acres west of Lion Country Safari, to expand by once again allowing excavation on agricultural land. GKK excavates about 1,000 acres now under a late-1980s approval. The ordinance limits operations to weekdays; blasting may occur only between 10 a.m. and 5 p.m. It also outlines dust, noise, odor and setback requirements.

But commissioners sided with GKK by declining to impose a 1-mile separation from residential property. That restriction would have taken about half of GKK's property out of production.

Still, the codes will cause more scrutiny when GKK expands.

"We'll apply for approval of the whole site," said Gary Brandenburg, GKK's lawyer. He said an application will be submitted soon.

The new ordinance will require an outside explosives expert to endorse a mining impact study the company must submit to expand. The study will set the level of vibration allowed. Some residents say the level should be zero.

"My home is 2½ miles away, and it shakes regularly," said Wayne Boynton of Fox Trails. "They should be required to do whatever is necessary to prevent any shaking of homes."

Money drives politics; look at State Road 7

I don't know who gives me money. I never look at the list. I didn't want somebody saying I owed them a favor." So says Palm Beach County Commissioner Ken Foster, who did a \$100 million favor for some of his biggest contributors.

Politicians and donors say the money that passes between them is meaningless. State Road 7 proves otherwise. As *The Post* detailed in a four-part series last week, money bought access to politicians who manipulated government to benefit the donors at the expense of the public.

Mr. Foster helped landowners along the southern part of State Road 7 win \$100 million in state grants to widen the 23-mile stretch between Glades Road and Okeechobee Boulevard. With more capacity, landowners and developers will make millions putting houses, offices and stores on former pastures.

In 1988, developer money paid for a political campaign that changed the way county commissioners are elected. Since 1990, they have run from single-member districts, not in countywide races. The change cut the power of south county condos, whose residents favored growth management. It also allowed development contributions, which went to candidates in all seven districts, to have more impact. When Mr. Foster joined the commission in 1990, SR 7 landowners paid 10 percent of his \$100,000 campaign.

Soon after, he formed a "safety" committee to push for widening. Landowners and their consultants controlled the panel. They operated quietly and skillfully. They jiggered safety data to show that SR 7 was the most dangerous road. They exploited Hurricane Andrew to make the preposterous claim that a wider SR 7 could be an evacuation route. They courted congressmen and got token federal money. All this pushed the road that would make their land valuable to the top of the list for

A 23-mile stretch in Palm Beach County will be widened because landowners who will benefit made it happen.

receiving state money.

Growth-control advocates barely noticed. Commissioner Karen Marcus says she trusted Mr. Foster. The landowners were persistent and patient, and they had money. There never was a make-or-break vote to rally opponents.

Now the deal is done. The developers won't have to pay for the road — state taxpayers will do that. And developers won't pay the true cost of adding 50,000 residents to the area along State Road 7 over the next 20 years. Instead, all county residents will pay higher taxes to subsidize the schools, streets and services those homes will require. There also is the cost of traffic jams and threats to the water supply.

The damage for that stretch of State Road 7 is done. It should not be made worse by extending the road north of Okeechobee. Wetlands, rather than a sudden concern for controlling growth, may stall that extension.

But the press for greater development will continue to be the county's biggest day-to-day issue. The county commission is opening the Agricultural Reserve Area, through which SR 7 passes, to development. The Acreage and Jupiter Farms are being urbanized. There's an attempt to turn citrus groves even farther west into major cities. Few politicians are resisting.

When it's widened, State Road 7 will be a highway that supports damaging levels of development. The real reason for the road's widening has little or nothing to do with safety. It's based on favors done for money received. That's the oldest two-way street in politics.

Sharon A. Waite

15058 75th Ln. No.

Loxahatchee, FL 33470-4484

Nathaniel P. Reed.

1000 Friends of Florida

Tallahassee, FL.

February 4, 2007

Dear Mr. Reed,

The issue at hand is the West County Energy (3300 mqw) Center, (FPL), that is planned for the 220 acres ^{others} _{2000 acres} adjacent to Lion Country Safari, The Arthur Marshall Preserve and the Corbett Preserve. Also, adjacent is Deer Run, White Fenoes, Fox Trail, The Acceage, Loxahatchee. The communities comprise 50,000 residents.

This power plant will have be fueled by a pipeline of natural gas by Gulfstream. It is to be 35 miles long, 36" wide, 900 PSI running between two blasting permits. Stuart mining permitted until 2052 and Palm Beach Aggregates permitted until 2032.

I live 6 miles away. I was outside on my property at approximately 12:00 noon ^{on 1/31/07} and in less than 5 minutes there were 4 blasts I heard.

Also, adjacent to this operation the Palm Beach Board of Commissioners also zoned a 2000 unit PUD called "Hyland Dunes" (Booms!) and a school.

This power plant will need 6.5 ~~ub~~ gallons of water, (from our floridan aquifer) and will use deep well injection to dispose of up to 21m. gallons of waste water a year.

I have done my due diligence, I have testified at the Public Service Commission in May of 2006. Also, I spoke in December in front of the Cabinet Aids and 5 days later in front of the Governor (sitting board) to point out these horrible conditions. I am a hoomemaker, Not a politician or lawyer. I beg you to help me stop this. Please remember me as we met in Orlando at the 1,000 Friends dinner.

Our former County Commissioner of District 6 Tony Masilotti is now a convicted felon and about to be sentenced in Federal Court March 23, 2007. He was instrumental in this deal which should be rescinded. This Power plant is only to serve new units at least 466,000 in number. Kilday & Assoc. is the planner of Hyland Dunes. He wants to put another West Palm Beach out here. Is everybody Nuts!? Water! Water! Where will it come from?

Please Help.

Sincerely,
Sara A. Waite

Will **FPL** Turn the **Everglades** into a

River of Gas?

FPL has proposed a massive 3,300 Megawatt (MW) Fossil Fuel Power Plant, the 'West County Energy Center' (WCEC), in the Everglades Agricultural Area (EAA) on Southern Blvd, **1000 feet north of the Arthur R. Marshall Loxahatchee National Wildlife Refuge**—a headwaters to what's left of the southern Everglades ecosystem. The WCEC is just west of the L-8 canal, Lion Country Safari & Fox Trails; directly neighboring Enrique Tomeu's scandal ridden **Palm Beach Aggregates**, which has *active blasting permits until 2032*. There will be 12 stacks, each 149 feet tall. **This plant will generate power for nearly half-a-million units of new development.**

The Florida Department of Environmental Protection (FDEP) approved a permit for the initial 2,500 MW, which received 'final certification' on Dec. 19th, 2006. This permit includes:

- *12.6 million gallons of diesel fuel, stored on site, burned as back up fuel 500 hours a year
- *6.5 billion gallons of water a year drawn from surface and aquifer sources
- *Up to 21 million gallons of wastewater deep-well injected daily (their first test well failed)
- *3,500 tons of emissions a year (including: SO₂, PM, PM₁₀, NO_x, CO, VOC & SAM; CO₂ emissions are not regulated and thus not included in this equation) spreading pollution over a 12 mile radius
- *NO_x levels above the DEP's Best Available Control Technology (BACT) standard
- *Inadequate information regarding potential impacts:
 - To well water supply of surrounding communities
 - To native wildlife (including approx. 30 threatened & endangered species in the Refuge)
 - Of disasters to surrounding communities and the Everglades Ecosystem
 - Of acid rainfall over the Lox. National Refuge and nearby J.W. Corbett Wildlife Mgt. Area

This Power Plant will also require **30 miles of new gas pipeline** through western Martin and Palm Beach County. The applicant, Gulfstream Natural Gas System LLC, has expressed intent to impact two wetland areas and has requested a variance to degrade water quality in the L-8 canal.

In the past several months, FPL has caused radioactive leakage from their St. Lucie Nuke plant, created the largest oil spill of the decade into Manatee Bay and caused an explosion at their Port Everglades plant. The only existing FPL plant in Palm Beach County, the Riviera Beach plant, has been identified as one of the dirtiest plants in Florida. **Why have the Palm Beach County Commissioners and Florida DEP approved another FPL ecological nightmare?!?**

FPL says we need this power to meet our increasing development and energy use. Yet growth that was speculated for South Florida is now uncertain due to a combination of drops in the real estate market, Department of Community Affairs (DCA) opposition, and serious environmental/water supply concerns. **We must tell FPL, FDEP & the Governor's Cabinet that we would rather conserve energy and slow development than risk poisoning our communities and destroying the natural environment.**

For more information contact:

Palm Beach County Environmental Coalition (561)588-9666 PBCEnviroCoalition@gmail.com

“Natural gas pipeline safety is a myth.

The U.S. Office of Pipeline Safety records hundreds of incidents involving gas pipelines each year. You can easily check this by visiting the pipeline statistics page of their website at <http://ops.dot.gov>.

But statistics don't tell the story of pain and loss that occur when an accident happens... From Earth Alert! (www.earthalert.org)

Cleveland East Ohio Gas Explosion occurred on the afternoon of Friday, October 20th, 1944. The resulting gas leak, explosion and fires killed 130 people and destroyed a one square mile area on Cleveland, Ohio's east side. But this was by no means the last large scale natural gas disaster to occur...

The **Piper Alpha** was a North Sea oil production platform operated by Occidental Petroleum. It produced around 10 percent of the then oil and gas production from the North Sea. An explosion and resulting fire destroyed it on July 6, 1988, killing 167 men. To date it is the world's worst offshore oil disaster.

The Texas Eastern Transmission Corporation Natural Gas Pipeline Explosion and Fire was in Edison, New Jersey on March 23, 1994 when the 36" diameter natural gas pipeline, about 7' underground, exploded in flames next to the Durham Woods apartment complex. The resulting fire destroyed or severely damaged 14 of the apartment buildings. One death occurred from a heart attack suffered by Sandra Snyder, who was unable to summon emergency workers "amid the chaos."

The **1998 Esso Longford gas explosion** was a catastrophic industrial accident which occurred at the Esso natural gas plant at Longford in the Australian state of Victoria's Gippsland region. On 25 September 1998, an explosion took place at the plant, killing two workers and injuring eight. Gas supplies to the state of Victoria were severely affected for two weeks.

In **August 2000** there was an **explosion in a Carlsbad, New Mexico** natural gas pipeline that caused flames to shoot 500 feet into the air, killing 12 who had been camping at a nearby river. An EMT on site described what he saw as a "little Hiroshima".

On **January 19, 2004, in Skikda, Algeria**, a steam boiler that was part of an LNG production plant exploded, triggering a second, more massive vapor-cloud explosion and fire that took eight hours to extinguish. The explosions destroyed a portion of the LNG plant and caused damage outside the plant's boundaries and killed 23 people.

On **March 16, 2004**, an explosion destroyed a section of a nine-story building in Arkhangelsk, Russia. The death toll from the explosion was 58. In April 2004, authorities arrested and charged a former employee of the city gas service for allegedly sabotaging the gas system thus causing the tragedy.

The **2006 Milwaukee explosion** refers to the explosion of a 10,000 gallon propane tank at the Falk Corporation in the industrial Menomonee River Valley neighborhood of Milwaukee, Wisconsin on December 6, 2006. 46 people were injured and at least three were killed. Cars were reportedly flipped through the air and debris scattered over several blocks. The disaster is still being investigated.

To get involved in local environmental issues: (561)588-9666 PBCEnviroCoalition@gmail.com



RECEIVED

AUG 02 2006

DEPT OF ENV PROTECTION
WEST PALM BEACH

July 31, 2006

Mr. Joseph R. May P.G.
Florida Department of Environmental Protection
Southeast District
Underground Injection Control Program
400 North Congress Avenue
Suite 200
West Palm Beach,
Florida 33401

FPL WCEC
0247895-003-40

RE: Florida Power & Light Company
West County Energy Center Project
Class I Injection Well Application Fee

Dear Mr. May:

On July 25, 2006, Golder Associates submitted an Engineering Report and Exploratory Well Construction and Testing Application for a Class I Injection Well System on behalf of Florida Power & Light Company's ("FPL") West County Energy Center. The application submittal included a check for \$5,000.00. Via correspondence from your office dated July, 26, 2006, attached, we have been informed that the application fee is \$750.00. We are therefore enclosing a check for \$750.00 for the application fee.

Please note a subsequent revision to the application was submitted on July 28, 2006.

Please let me know if you have any questions or need additional information I can be contacted at (561) 691-7518.

Sincerely,

Barbara P. Linkiewicz
Environmental Licensing Manager
Florida Power & Light Company

Thank

Audubon is deeply grateful to all the individuals, corporations, foundations and organizations whose generous contributions supported our conservation work throughout Florida during the fiscal year 2006. The following list recognizes donors from July 1, 2005 through June 30, 2006.

\$1,000 to \$2,499

Anonymous
Bluma Appel
Ralph Arwood
Mary Barley
Andrew Barnes
Jane M. Berry
Frances Bethel
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Edward E. & Lillian H. Bishop Foundation
Thomas D. Carr
Stephen and Karen Clegg
David Dance
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Dorothy E. Ebersbach
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John F. Flanigan
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Bill and Ginnie Young
Zeigler & Zeigler, Inc.
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Mae Wood
Carl D. and Mary Ida Yost

\$10,000 to \$24,999

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Lee Lauderback - Stallion 51
J. Holley Taylor
Terry/Kane Orlando, Inc.
Visitors Bureau of Naples, Inc.
Walt Disney World Co.

\$25,000 to \$49,999
Gordon J. Barnett Memorial Foundation
Louise H. Courtelis

Disney Wildlife Conservation Fund
Enrique Tomeu

Kitson & Partners, LLC
The Elizabeth Ordway Dunn Foundation, Inc.

The Perkins Charitable Foundation
Royal Caribbean International
Elaine and Scott Taylor
Ellen and Louis Wolfson, III

\$50,000 to \$99,999

Forrest C. Lattner Foundation, Inc.
Martin Foundation, Inc.
Mosaic Fertilizer, LLC

\$100,000 and above

The Batchelor Foundation
Everglades Foundation, Inc.

We apologize for any omissions or errors on this list. Please contact the Development Dept. at 305-371-6399 to confirm corrections or additions. Thank you.

New Law Fosters IRA Gifts to Audubon

Recent legislation allows people 70 years of age and older to make a current gift of up to \$100,000 from traditional or Roth Individual Retirement Accounts (IRAs). This development provides a new philanthropic vehicle for holders of IRAs. The advantage here is that while donors do not receive charitable tax deductions for their IRA gifts, they do avoid paying taxes on the gift amounts—taxes that would otherwise be payable upon withdrawal from an IRA.

At 70, owners of IRAs must begin taking taxable distributions from their plans. (Remember that IRAs were never intended to avoid taxes, only to defer them.) At 70 it is time to pay the piper. Many people may therefore find it more advantageous to make charitable gifts from their IRA accounts, rather than from other resources.

Note that this opportunity applies only to gifts made during 2006 and 2007. Be aware also that THE TRANSFER OF THE FUNDS MUST BE MADE DIRECTLY BY YOUR PLAN ADMINISTRATOR. Withdrawing money from your IRA and then giving it to the charity would be treated as a taxable distribution, thereby incurring some income tax liability.

If you would like to further explore the possibility of supporting Audubon of Florida with an IRA transfer, please call Development Director Tim Bachmeyer at 786-402-4841. Or call Audubon Vice President Wayne Mones at 212-979-3033.

Also please consider naming Audubon as a beneficiary of a portion of the amount remaining in your IRA at the time of your death. Generally, it is more advantageous to leave IRA assets to charity, and cash and stocks to family.

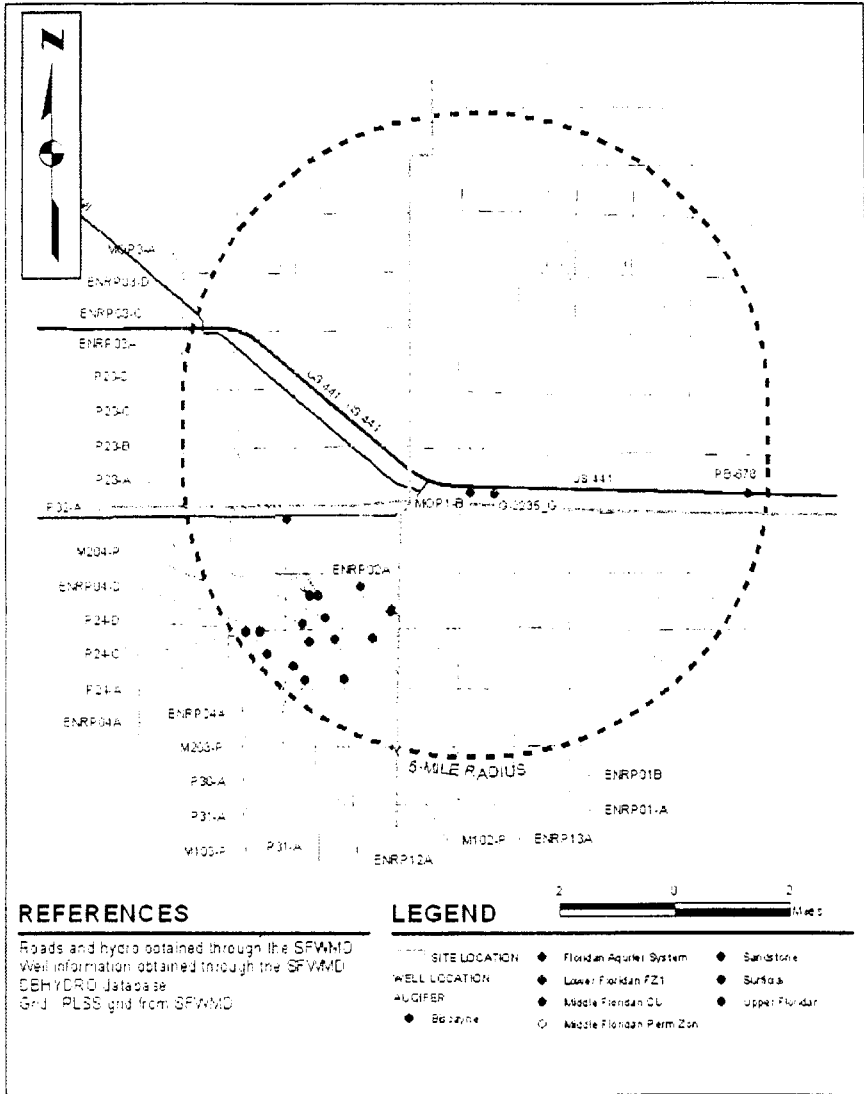


Figure 2.3.3-1
 Potable Wells Located Within a 5-mile Radius of the Site
 FPL West County Energy Center, Palm Beach County, Florida

Source: SFWMD, Golder, 2005



From: Heron, Teresa
To: GremlinLtd@aol.com
Date: 4/21/2006 10:36:34 AM
Subject: West County Information

FP&L's West County Energy Center

08/01/06	Need Determination by PSC
09/01/06	DEP issues Project Impact Analysis, including proposed COC's
10/02/06	Certification hearing before the ALJ
12/01/06	ALJ issues Recommend Order
02/06/07	Siting Board Hearing on Certification

Thanks,
Teresa Heron, Engineer
Permitting South Section
Bureau of Air Regulation
Phone 850/921-9529
teresa.heron@dep.state.fl.us

These copies show
The changing of
The dates for
all meetings

07/12-13/06	Combined Land Use & Certification hearing before Administrative Law Judge
09/27/06	Cabinet Aides Meeting
10/03/06	Anticipated Siting Board Hearing on Certification

FP&L's West County Energy Center

06/28/06	Need Determination by PSC
07/18/06	DEP issues Project Impact Analysis, including proposed COC's
09/06/06	Certification hearing before the ALJ
10/06/06	ALJ issues Recommend Order
11/14/06	Anticipated Siting Board Hearing on Certification

Transmission Line Applications in Process

None at this time

2600 Blair Stone Rd M.S. 48 Tallahassee, Florida 32399 850-245-8002 (phone) / 850-245-8003 (fax) / 205-8002 (SUNCOM) Last updated: August 24, 2006

| | | |

Dear Nathaniel Reed,

While I am happy to see your concern with the Moore Haven FPL Plant I think the environmental community should be more concerned with the WCEC FPL plant to be located in Loxahatchee on Seventeen Blvd. The reasons I will enumerate below.

1. 12.6 million gallons of diesel stored on site
2. A 35 mile 900psi natural gas pipeline which will cross 2 wetlands, 1 upland hardwood forest, 12 active water supply wells, 4 federally protected listed endangered species and 224 water body crossings.
3. 2 Rock mining operations Palm Beach Aggregates & Stuart Mining with blasting permits till 2032 & 2052 respectively.
4. A 1272 acre water reservoir purchased at the cost of 212 million dollars from Palm Beach Aggregates on Dec 8 2004 for SERP. FPL plans for this to

5. The fact that our Commissioner Tony Masilotti indictment & plea agreement lists he was paid millions for a land deal to put the FPL Plant at its current location at the Palm Beach Aggregates to further enrich him and the owner Enrique Tomeu.

6. The proposed plant is within 1000ft of the Arthur Marshall Wildlife Refuge (147,000 acres) & within 1 mile south of the J. W. Corbett Wildlife Area (60,000 acres)

7. The WCEC FPL Plant has a permit to remove 6.5 Billion Gallons of surface water from the L-8 Basin per year.

8. This plant as proposed is a disaster in the making. One spill one explosion away from the total destruction of some of our last remaining federally protected lands left in Palm Beach County. The Valdez was a 11 million gallon spill of heavy crude. The light diesel that FPL describes like lite canola oil with Floze. Henderson tap dancing nearby will never be cleaned up because it will move fast & down. The total destruction of some.

Members of the environmental
community is puzzling & SCARY at best
This plant is a molotov cocktail waiting
to happen. Enclosed are letters from
concerned individuals and Tony Masilon
Plea Agreement. Please help with this
nightmare now before it is too late.

Please Respond
Thank You

Alexandria LARS
16933 W. Harlow
Loxahatchee Fla 334
561-791-0875

P.S. Enclosed are some articles
to show we have tried to
get the word out.



THE EVERGLADES COALITION

RESOLUTION OF THE EVERGLADES COALITION

WHEREAS, the West County Energy Center (WCEC) is a power plant proposed by Florida Power and Light for a location in western Palm Beach County; and

WHEREAS, the proposed placement of the WCEC borders the Everglades Agriculture Area, is adjacent to the Arthur R. Marshal Loxahatchee National Wildlife Refuge, and is in close proximity to the J.W. Corbett Wildlife Management Area; and

WHEREAS, the operation of the proposed WCEC will consume 6.5 billion gallons of water per year in direct competition with water intended for Everglades National Park and Everglades Restoration projects; and

WHEREAS, the operation of the proposed WCEC will generate 3000 tons of annual emissions, which may be transported to the nearby wildlife areas and the Everglades National Park; and

WHEREAS, twelve million gallons of diesel fuel will be stored onsite as backup to the natural gas pipeline, which if spilled could cause massive damage in the nearby wildlife refuges or water storage areas; and

WHEREAS, the construction and operation of the proposed WCEC will disrupt the wildlife intended for protection in the nearby National Wildlife Refuge, and

WHEREAS, the energy from the proposed WCEC is not required to meet existing needs, and would produce substantial excess energy capacity in the region; and

WHEREAS, the construction and operation of the WCEC increases Florida's dependence on non-renewable energy sources.

Now therefore, the Everglades Coalition resolves and recommends:

- 1) That no decision on the approval of the WCEC, an important environmental issue for the future of Florida, should be considered until after the installation of our new Governor.
- 2) That no power plants should be constructed adjacent or in the Everglades Agriculture Area.
- 3) That Florida should focus on conservation and renewable energy sources rather than construct more infrastructure dependent upon non-renewable sources.

BE IT SO RESOLVED, on December 18, 2006

National Co-Chair, Everglades Coalition



One hurdle left for FPL plant

1. The state's siting board will discuss the Loxahatchee project today.

By KRISTI E. SWARTZ and MITRA MALEK

Palm Beach Post Staff Writers

Tuesday, December 19, 2006

The fate of the first power plant to be opened in Palm Beach County since the 1960s lies in the hands of Gov. Jeb Bush and the Cabinet, despite last-minute attempts by some residents to delay the decision.

The Cabinet, meeting as the Power Plant Siting Board, will meet today to discuss Florida Power & Light Co.'s proposed \$1.2 billion, 2,200-megawatt natural gas-fired plant, set to open in Loxahatchee in 2009.

The plant would have two 1,100-megawatt units, the second of which would open in 2010. It would provide enough power for 466,000 homes and businesses. A third 1,100-megawatt unit might be added later.

2. Called the West County Energy Center, the plant would be the county's first since FPL's two Riviera Beach units opened in 1962 and 1963.

The board's decision is the last of several procedural hurdles for FPL, including obtaining approvals from state utility regulators, a host of state agencies and the Palm Beach County Commission, which in January 2002 approved zoning for a plant generating up to 3,000 megawatts of power.

But some residents and environmentalists are worried about many aspects of the plant, including a 35-mile-long, 36-inch-wide high-pressure gas pipeline that would drop down from western Martin County and 12.6 million gallons of diesel fuel that would be stored on site. In addition, two rock-mining operations lie east and west of the plant: Palm Beach Aggregates, which has permits to blast rock through 2032; and Stewart Mining Industries, which this year won permits to blast rock through 2052.

Also, hundreds of Loxahatchee-area homes are to the north, with Wellington to the southeast and a subdivision called Highland Dunes approved at the Aggregates site.

"It's a Molotov cocktail," said community activist Alexandria Larson, who lives in Loxahatchee. "No one could look at this and not see this."

The original timetable for the West County Energy Center would have put the plant before the siting board in February, but that date, as well as one for an administrative law judge's ruling, were moved up in April. During a September public hearing, residents and environmental activists questioned the accelerated approval process.

FPL spokeswoman Rachel Scott said Friday the siting board must vote on the plant within 60 days of Oct. 24, the date the state's administrative law judge issued a ruling.

"There's a specific time frame that it has to go before governor and Cabinet, so it needed to go before the end of the year," she said.

In general, natural gas plants are among the cheapest to build and the cleanest to run. FPL says it needs a new plant by at least 2010 to maintain a 20 percent margin of reserve power — and neither a coal plant nor a nuclear plant can be built that quickly.

The Public Service Commission signed off on the plant after FPL promised to further diversify its fuel mix, 40 percent of which is natural gas, and to speed up plans to build a coal plant.

The center would sit across from the Arthur R. Marshall Loxahatchee National Wildlife Refuge.

Refuge project leader Mark Musaes said his primary concern with the energy center's location is toxic emissions. He is worried about air quality and whether an excessive amount of pollutants would fall onto the 147,000-acre site, home to water conservation areas and the endangered Everglades snail kite.

But the refuge isn't opposing the project because FPL reports and engineering analyses show pollutants should be within an acceptable range, Musaes said.

Rosa Durando, Audubon Society of the Everglades conservation chairwoman, is less sure.

The first two units of the power plant would create 3,464 tons of toxic emissions a year. That includes carbon monoxide, sulfur dioxide, nitrogen oxide and volatile organic compounds, Durando said.

"It's a tragedy waiting to happen," she said.

West County Energy Center

- Would have two generating units of 1,100 megawatts apiece.
- Would serve about 466,000 homes and businesses.
- Would cost about \$1.2 billion and provide 40-50 full-time jobs.
- Completion expected in 2009-10.

Source: FPL

this is all of it. let me know if/when you get it. i'm just finishing up the DVD video to put in the packages. maybe by tomorrow? will you be over here anytime soon.

-panagioti

----- Forwarded message -----

From: PBC EnviroCoalition <pbcentvirocoalition@gmail.com>

Date: Feb 8, 2007 5:37 PM

Subject: nat reed letter..

To: daniellarson@earthlink.net

hey alex,

here's what i got. let me know if it fits well with the rest of the package. let me know if you think it should be edited down a bit. did you see nat's comments in the paper today? this is a good time to get this info to him. write me back when you get this..

-panagioti

panagioti tsolkas
PBCEC Co-Chair
561-588-9666

Included in this packet is the most recent draft of a fact sheet compiled by participants with the Palm Beach County Environmental Coalition. Through the course of tracking the West County Energy Center (WCEC) the text has been revised to reflect what we believed to be the most accurate and relevant information available on the plant and the site it has been proposed for. We have attended multiple public hearings at County and State levels, and are now preparing to participate in the Federal process (through FERC) for permitting of a new 34-mile gas pipeline intended to provide the natural gas for the WCEC generators.

As important details have surfaced, we have attempted to inform public officials and the public at large, who are both generally unfamiliar with the permitting process and the specific environmental impacts involved in building power plants. The boldest example I can offer is this: the day before writing this letter (2/8/07) it was discovered that, do to the non-regulation of CO2 emissions, we had been neglecting to inform the public, the media, various agencies and governing boards about another estimated 8.5-12 million tons of annual global-warming causing CO2 emissions. Neither FDEP nor FPL ever

brought this information up through the course of multiple hearings.

For added insight on the WCEC, there is a recommended order from the Administrative Law Judge, David Malony, which was issued last Fall. It can be found on the Division of Administrative Hearings website, case no. 05-1493EPP. It provides a view of the inaccuracies, misinformation and lack of supporting data that resulted in the plant's certification. It has required a significant and ongoing effort of research to back-up that statement. If you are interested in a more thorough review of Maloney's order, please get in touch.

It has been a long, strange journey wading through piles of documents to understand the permitting process and the plant's impacts, yet every step of the way, we have found information that demands us to continue our efforts until we encounter an avenue to expose the dangers and successfully challenge FPL's WCEC.

panagioti tsolkas
co-chair, Palm Beach County Environmental Coalition

Below are some explanations on the contents in the packet:

-The Revised Staff Analysis Report: This provides an overview from FDEP about the WCEC. Pages 5-7 of this document provide good illustration on the lacking input from multiple agencies. No reports filed from Fish & Wildlife Commission, Dept of Agriculture and Consumer Services, Dept. of Health, Palm Beach County boards...

-U.S. Fish & Wildlife Service fax listing Threatened and Endangered species in the Refuge

-The original tonnage list from the 2005 application. This offers numbers from 2200MW of power with nearly 5000 tons of total regulated emissions. Most recent numbers suggest different engines producing 2500MW with about 3,500 tons.

-Palm Beach Post article. There are several inaccuracies, but it was the first time that a more holistic, critical perspective was run in a major paper. After almost 2 years into the public process.

-Potable Wells chart. Where are all the Fox Trails, Deer Run, Loxahatchee, etc. wells on this map?

-Natural Gas Pipeline Safety sheet. This is a collection of incidents to remind us that the risks we take by relying on fossil fuels are real and can be frightening. You can't mitigate over lost lives.

-The Everglades Coalition resolution. which passed with a majority approval. But caused a problem that was aired in front of the Governor's Cabinet by Florida Audubon's Policy Director, Eric Draper.

-Florida Audubon's donation list. Including between \$35,000-75,000 in donations from Enrique Tomeu and FPL. Some believe the tension was based on Draper's relationship with FPL site owner Enrique Tomeu, who is a cattle-rancher, sugar farmer, rock-miner and developer. Tomeu's Palm Beach Aggregates land is also a primary site in the federal indictment that resulted in County Commissioner Tony Masilotti's guilty plea to felony Honest Services Fraud.

-Communication between FPL and FDEP, regarding Underground Injection Control. This last one is an interesting, semi-random detail, especially amidst all the political scandal and corruption. Shouldn't FPL know the application fee?!

Hastings, Wexler and Klein Call on Governor to Extend Public Comment Period

for FPL's West County Energy Center

*Send Letter to Bush Expressing Grave Concern over the Environmental Impact to
Palm Beach County Residents*

Contact: Fred Turner w/Hastings (202-225-1313 or 202-225-7173)

(Washington, DC) Today, Congressmen Alcee L. Hastings (D-FL) and Robert Wexler (D-FL) and Congressman-Elect Ron Klein (D-FL) sent the following letter to Governor Jeb Bush (R-FL) requesting an extension of the public comment period on Florida Power & Light's (FPL) proposal to build the West County Energy Center in Palm Beach County. On Tuesday, December 19th, Governor Bush will hold a final certification hearing and will vote along with his Cabinet on the proposed site for the West County Energy Center. The letter highlights the fact that, while it is essential to provide energy resources to meet the needs of South Florida residents, Everglades' restoration and efforts to improve the environment and quality of water in South Florida must not be sacrificed. The signatories, each who represents parts of Palm Beach County, believe it is critical given the far-reaching impact of the West County Energy Center that the public comment period be immediately extended to allow for further discussion and an exhaustive review of the environmental risks the project poses to South Florida residents.

Hastings, Wexler and Klein also expressed deep concerns that the proposed site for the West County Energy Center is just ¼ of a mile north of the Arthur R. Marshall Loxahatchee National Wildlife Preserve, home to many endangered species of plants and animals. **(Please find a copy of the letter below):**

December 18, 2006

The Honorable Jeb Bush

Governor of Florida

The Capitol

400 South Monroe Street

Tallahassee, FL 32339

Dear Governor Bush and Cabinet Members:

We would like to express our growing concern about the proposal by Florida Power and Light to build the West County Energy Center in Palm Beach County without

adequate public review. Given the magnitude of this project and its environmental impact, we urge you to extend the timeline for plant certification to allow for more thorough scientific investigation and adequate public comment. While it is essential that we ensure that energy resources are available to meet the demands of South Floridians, it is equally important that we do not negate restoration of the Everglades, nor the efforts to improve the water quality of South Florida.

As you know, the proposed site for the West County Energy Center is just ¼ mile north of the Arthur R. Marshall Loxahatchee National Wildlife Preserve, home to many endangered species of plants and animals. The plant's location, adjacent to Palm Beach Aggregates, a rock mining business, is additionally troubling, as nearby homeowners have reported structural damage from the constant blasting. Even though the site was selected based on sound principles of accessibility and designation as a future power plant site, it is important that the aforementioned adjacent site considerations and the potential implications on the water resources of South Florida as well as Everglades restoration efforts are thoroughly examined.

According to an April 2006 correspondence from Florida Power & Light, the final siting board hearing was projected to take place on February 6, 2007. However in August 2006, further correspondence indicates that the timeline for certification was expedited. We are genuinely concerned that shortening the timeline has disenfranchised our constituents by limiting their opportunity to comment on a major energy project in Palm Beach County with significant environmental implications. We urge you to consider the rights of our constituents who deserve an opportunity to contribute to the discussion of the West Coast Energy Center proposal and extend the time period for a more thorough review of the potential environmental implications.

Sincerely,

Alcee L. Hastings, Member of Congress

Robert Wexler, Member of Congress

Ron Klein, Member of Congress-elect

Ann Cole

From: Ann Cole
Sent: Thursday, March 15, 2007 3:36 PM
To: Lorena Holley
Cc: Jennifer Brubaker; Katherine Fleming; Michael Cooke
Subject: RE: Correspondence File in Docket Nos. 060635 & 070098

RECEIVED-FT900
07 MAR 15 PM 3:38
COMMISSION
CLERK

According to this email, we will do so.

Thank you.

From: Lorena Holley
Sent: Thursday, March 15, 2007 1:35 PM
To: Ann Cole
Cc: Jennifer Brubaker; Katherine Fleming; Michael Cooke
Subject: Correspondence File in Docket Nos. 060635 & 070098

Ann -
Please file the attached e-mail and attached letter in the correspondence files in Docket Nos. 060635 (Taylor County Need Determination) and 070098 (FPL Glades Need Determination).
Please contact me with any questions.
Thank you.

Lorena Holley

From: FORTUNOW, Susan [mailto:sfortunow@audubon.org] **On Behalf Of** ANDERSON, David
Sent: Wednesday, March 14, 2007 9:55 AM
To: Office of the Chairman; Lois Graham; Katrina McMurrian
Cc: Charlie.Crist@myflorida.com; info@alexsinkcfo.com
Subject: Balanced Fuel Supply policy

March 14, 2007

Florida Public Service Commission

Chairman Lisa Polak Edgar
2540 Shumard Oak Blvd.
Tallahassee, 32399-0850
Email: Chairman@psc.state.fl.us

Commissioner Matthew M. Carter II
2540 Shumard Oak Blvd.
Tallahassee, 32399-0850
Email: lgraham@psc.state.fl.us

Commissioner Katrina J. McMurrian
2540 Shumard Oak Blvd.
Tallahassee, 32399-0850
Email: Katrina.McMurrian@psc.state.fl.us

Dear Chairman Lisa Polak Edgar, Commissioner Matthew M. Carter II and Commissioner Katrina J. McMurrian,

3/15/2007

Audubon of Florida is writing to send you a letter regarding the State of Florida's Balanced Fuel Supply policy. Please see the attached file for your consideration. An original of the letter is also being mailed to you. The signature on this letter has been waived for expediency, but is included in the original letter sent via post.

Thank you for your time and attention to this important issue. We look forward to working with you to accomplish an environmentally-sound set of energy policy alternatives.

Warm regards,
David Anderson
Executive Director
Audubon of Florida

Cc:
Florida Governor Charlie Crist
Office of the Governor
The Capitol
Tallahassee, FL 32399-0001
Email: Charlie.Crist@myflorida.com

Chief Financial Officer Alex Sink
Florida Department of Financial Services
200 East Gaines Street
Tallahassee, FL 32399-0300
Email: info@alexsinkcfo.com



March 14, 2007

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, 32399-0850

Dear Commissioner,

Audubon of Florida is a 107-year-old environmental organization, which works to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats, for the benefit of humanity and the earth's biodiversity. Accordingly, Audubon is writing to urge the Public Service Commission (PSC) to evaluate and modify its current policy of encouraging regulated Florida utilities to achieve a Balanced Fuel Supply (BFS), in particular with respect to coal-fired power plants. We further urge the PSC to join efforts to recommend legislative changes to the BFS policy. This policy is succinctly stated in the PSC "Review 2005 Ten-Year Site Plans, page 5," which states:

"The Commission is concerned that in light of current volatility in the availability and price of natural gas, Florida's utilities need to return to the practice of planning a Balanced Fuel Supply (BFS). Because of the long lead time required to construct solid fuel generation, the planned addition of coal-fired generating units in the 2012 and 2013 time frame is a reasonable step toward attaining this goal."

The BFS policy, along with the PSC Environmental Cost Recovery Clause, encourages coal-fired power plants. There are ten¹ coal-fired power plants currently proposed in Florida, which, if built, will be enormous contributors of greenhouse gases and mercury to the atmosphere over their lifetimes. Ratepayers, investors and the environment will be saddled with this harmful technology at the same time that national and international efforts are underway to regulate carbon dioxide emissions by establishing mandatory CO₂ reductions programs.

Audubon suggests policy changes, some of which may require the PSC to seek different direction from the Florida Legislature. Our proposed changes are based on the following conclusions:

¹ Review of 2006 Ten-Year Site Plans, Florida Public Service Commission, Tallahassee, Florida, December 2006, page 12.

- I. The promotion of coal-fired power plants is contrary to the PSC's stated mission to "facilitate the efficient provision of safe and reliable utility services at fair prices."
- II. From the perspective of climate change, coal-fired power plants represent backward and harmful technology because of all fossil fuel energy sources coal plants emit the highest levels of the greenhouse gas, carbon dioxide (CO₂).
- III. The BFS policy undermines local, national and international efforts to curb greenhouse gas emissions and establish mandatory CO₂ reductions programs.
- IV. The BFS policy coupled with the PSC Environmental Cost Recovery Clause place undue financial risks on Florida ratepayers.
- V. The BFS policy increases energy inefficiency and causes negative environmental impacts associated with proposed plant locations.

I. The Promotion of Coal-Fired Power Plants is Contrary to the PSC's Stated Mission

The PSC mission states: "Customers are served best by markets that facilitate the efficient provision of safe and reliable utility services at fair prices. The mission of the Florida Public Service Commission is to promote the development of competitive markets—as directed by state and federal law—by removing regulatory barriers to competition, and by emphasizing incentive-based approaches, where feasible, to regulate areas that remain subject to rate of return regulation. Once markets become sufficiently competitive, the Florida Public Service Commission will eliminate regulatory involvement to the extent permitted by law."²

The BFS policy encourages shareholder-owned utilities to site and build coal plants (or "solid fuel generation"), but this directly contradicts the PSC mission to "facilitate the efficient provision of safe and reliable utility services at fair prices." Coal-fired power plants are not environmentally safe and are increasingly a significant financial risk, given national and international trends toward and costs of establishing mandatory CO₂ emissions reductions to address global climate change and curb its impacts.

While major strides in technology have allowed reduced sulfur dioxide (SO₂) and nitrogen oxide (NO_x) emissions, and particulate matter, burning coal as a fuel still allows excessive emission of mercury and CO₂, which each having serious environmental implications. "Coal-fired power plants are responsible for 60 percent of U.S. SO₂ emissions, 33 percent of U.S. mercury emissions, 25 percent of U.S. NO_x emissions, and more than 33 percent of the nation's CO₂ emissions."³

II. Coal-fired Power Plants Contribute to Dangerous Global Climate Change

In its Fourth Assessment Report, released in February 2007, the Intergovernmental Panel on Climate Change found "warming of the climate system is unequivocal, as is now

² <http://www.floridapsc.com/about/mission.aspx>

³ Coal-fired Generation: Proven and Developing Technologies, Office of Market Management and Strategic Analysis, Florida Public Service Commission, December 2004, page 9.

evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global mean sea level.”⁴

Global climate change is the most clear and present danger to the environment and to future life on earth, and threatens human health and prosperity. The leading cause is the anthropogenic emission of greenhouse gases into the atmosphere. “Carbon dioxide is the most important anthropogenic greenhouse gas. The global atmospheric concentration of carbon dioxide has increased from pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005. The atmospheric concentration of carbon dioxide in 2005 exceeds by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.”⁵

The two major sources of greenhouse gas emissions are transportation and electricity generation. Of all electricity generation options, “coal plants already emit more CO₂ than all our cars, SUVs, trucks, buses, boats, trains, and airplanes combined, and the U.S. Department of Energy projects that CO₂ emissions from coal, if left unchecked, will increase to an additional 52 percent by 2030 (compared to 2003 levels).”⁶

Of all the sources of fossil fuels—oil, coal and gas—coal emits the highest level of carbon dioxide into the atmosphere. “Coal contains nearly 90 percent more carbon per unit of energy than natural gas. However, a new conventional (supercritical) coal power plant produces 150 percent more CO₂ than a new natural gas combined cycle power plant, which is much more efficient.”⁷

The State of Florida is one of the most vulnerable to the impacts of global climate change, particularly sea level rise, increased precipitation and droughts, stronger storm intensity, and coral bleaching.⁸ Florida is also a main contributor to greenhouse gas pollution, ranking the 5th largest state nationwide for carbon dioxide emissions.⁹ Tackling the primary cause of global climate change, that of carbon dioxide emissions, must become a leading economic and ecological priority in Florida.

III. The BFS Policy Undermines Local, National and International Efforts to Curb Greenhouse Gas Emissions

⁴ “Climate Change 2007: The Physical Science Basis”, IPCC WGI Fourth Assessment Report Summary for Policy Makers, Page 4.

⁵ “Climate Change 2007: The Physical Science Basis”, IPCC WGI Fourth Assessment Report Summary for Policy Makers, Page 2.

⁶ The Union of Concerned Scientists, “Cleaning up Coal’s Act,” Catalyst magazine, Spring 2006.

⁷ Based on data from the U.S. Energy Information Agency, “Assumptions to Annual Energy Outlook 2006, Table 38, March 2006, 73. At [www.eia.doe.gov/oiaf/aeo/assumption/pdf/0554\(2006\).pdf](http://www.eia.doe.gov/oiaf/aeo/assumption/pdf/0554(2006).pdf).

⁸ The IPCC Fourth Assessment Report found that “At continental, regional and ocean basin scales, numerous long-term changes in climate have been observed. These include changes in Arctic temperature and ice, widespread changes in precipitation amounts, ocean salinity, wind patterns and aspects of extreme weather including droughts, heavy precipitation, heat waves and the intensity of tropical cyclones. Footnote 10, Tropical cyclones include hurricanes and typhoons.”

⁹ U.S. Public Interest Research Group and based upon the U.S. Environmental Protection Agency National Air Quality and Emission Trends Report data (2003).

The United States is a signatory and ratified the United Nations Framework Convention on Climate Change (UNFCCC), which was adopted in 1992 and ratified in 1994 by 188 countries. Nations worldwide are taking immediate steps to reduce carbon dioxide emissions, and the Florida municipalities, states in the union, and the United States are beginning to act accordingly.

“Evidence of the dangers associated with warming greater than two degrees Celsius above pre-industrial levels has been compelling enough to persuade the European Union to adopt the goal of limiting planetary warming to this level. Studies show that to have a reasonable chance of achieving this goal, heat-trapping emissions for both developed and developing countries must be reduced at least 15 to 50 percent below 1990 levels by 2050. The European Parliament has adopted a resolution pushing for developed nations to reduce emissions 30 percent by 2020 and 60 to 80 percent by 2050. The United Kingdom adopted a similar target in 2003: 20 percent reductions by 2010 and 60 percent by 2050.”¹⁰

Twenty-eight Florida municipalities have joined almost 300 cities in the US Mayors Climate Protection Agreement, and adopted policies to address (and not undermine) progress on reducing overall CO₂ emissions. These policies include mandating and undertaking carbon dioxide inventories and establishing CO₂ emissions reductions programs in accordance with the Kyoto Protocol standard of seven percent emissions reductions below 1990 levels by 2012.¹¹

California has adopted a goal to reduce CO₂ emissions by 80 percent below 1990 levels by 2050. New Mexico has a goal to reduce CO₂ emissions by 75 percent below 2000 levels, and the New England Conference of Governors (eight U.S. states) and Eastern Canadian Premiers adopted a goal of reducing global warming emissions 75 to 85 percent below 2001 levels.¹²

Momentum is also building in the U.S. Congress to pass mandatory emissions reductions legislation, which will likely create “mandatory, market-based limits and incentives on emissions of greenhouse gases.”¹³

The BFS policy and investment of public and private funds in coal-based energy generation runs counter to and undermines all these efforts to grapple with and find solutions for climate change.

IV. The BFS Policy, Coupled with the PSC Environmental Cost Recovery Clause, Place Undue Financial Risks upon Florida Ratepayers

¹⁰ Union of Concerned Scientists, “Gambling with Coal: How Future Climate Laws Will Make New Coal Power Plants More Expensive,” by Barbara Freese and Steve Clemmer, September 2006, page 12.

¹¹ U.S. Mayor’s Climate Protection Agreement, <http://www.seattle.gov/mayor/climate/>.

¹² Ibid.

¹³ Sense of the Senate on Climate Change, H.R.6 1612, Energy Policy Act of 2005, passed by a vote of 54-43.

Given the serious environmental risks associated with coal-fired technology, as well as local, national and international action to address the risks associated with global climate change, the PSC should evaluate and modify its BFS policy to ensure that Florida ratepayers do not shoulder the burden of the environmental costs associated with coal plants.

The U.S. financial community is recognizing that investment in new coal-fired plants is a high risk venture, particularly given the trend toward, and financial costs of, establishing CO₂ reduction programs.

The New York and London based investment firm, “Bernstein Research recently released a report describing the growing momentum toward CO₂ regulation, concluding that ‘regardless of which party wins in the 2008 presidential elections...it is possible that the next administration will favor mandatory national limits on CO₂ emissions.’ The report identifies the utilities facing the greatest financial risk: ‘unregulated coal-fired generators supplying markets where gas is the predominant price setting fuel,’ which cannot pass the added costs of an emissions cap on to consumers. The assumption, of course, is that regulated utilities will be able to pass future compliance costs onto ratepayers...This attitude reveals why, at least for the moment, some sectors of the financial community are still willing to help regulated utilities build new coal plants even when they know that such plants will be substantially more expensive in the carbon-constrained world ahead. Wall Street is not concerned with protecting ratepayers—that will be a job for state regulators.”¹⁴

The PSC recognizes these trends, and states: “At the national level, new emission requirements are currently under discussion for substances such as mercury and carbon dioxide. Incremental environmental costs are a risk borne by the ratepayers because Florida’s investor-owned utilities may recover the costs of incremental environmental requirements through the Environmental Cost Recovery Clause.”¹⁵

Other sectors, including the nation’s largest energy generators support mandatory CO₂ emissions reductions programs. “Five of the nation’s top 10 largest private power producers (Calpine, Duke, Entergy, Exelon, and Florida Power & Light), accounting for more than 15 percent of U.S. electricity generation, now support mandatory limits on CO₂ from power plants. Another (Progress) acknowledged in a 2006 special report to shareholders that the evidence for climate change is sufficient to warrant “action” by the “public sector.”¹⁶

“When a significant share of industry speaks out in favor of environmental regulations, including several major companies in the industry sector likely to be most heavily regulated, it is a strong sign that such regulations are near at hand. It is quite possible that

¹⁴ Union of Concerned Scientists, *Gambling with Coal: How Future Climate Laws Will Make New Coal Power Plants More Expensive*, September 2006, page 20.

¹⁵ Florida Public Service Commission, *Review of 2005 Ten-Year Site Plan*, page 14.

¹⁶ Union of Concerned Scientists, *Gambling with Coal: How Future Climate Laws Will Make New Coal Power Plants More Expensive*, September 2006, page 20.

CO₂ limits will be in place and operational before the same could be said for a proposed coal plant currently in the regulatory approval process.”¹⁷

Florida ratepayers should not be saddled with the incremental environmental costs of a state-wide energy policy, which does not account for the risks associated with CO₂ emissions or predictable mandatory programs to address them.

V. The BFS Policy Increases Energy Inefficiency and Causes Negative Environmental Impacts Associated with Proposed Plant Locations

Large coal-fired electric plants are being proposed in environmentally sensitive areas, far from the ratepayers the plants will ultimately supply. Such projects result in the use of otherwise productive farmlands and/or natural lands for the plant and for power lines to distribute energy. Electric power distribution over large areas is wasteful and inefficient. Loss of energy over long-distance transfer could cause an additional 10 percent power production requirement with corresponding emissions. Further, there are significant costs to moving fuel to remote locations. A comprehensive inventory of the carbon dioxide emissions resulting from the Balanced Fuel Supply policy would have to take into account the emissions resulting from transportation of coal and other inputs to operate the facility. Additionally, the environmental debt associated with coal extraction should be considered.

Conclusions and Recommendations

Conduct a clear analysis of regulatory risks and opportunities: The PSC should require Florida utilities to factor future CO₂ cap costs into resource planning, and ensure that mandatory emissions reductions costs are not passed on to Florida ratepayers.

Factor carbon sequestration into cost projections: Current research to sequester carbon dioxide may result in the commercial viability of this technology to reduce this greenhouse gas. While these advances are not foreseen for at least a decade and will likely not be sufficient to address the challenges of reducing greenhouse gas emissions confronting Florida, the nation, and the world, at some point, the technology may be required. This eventuality should be factored into consumer-borne costs.

Modify the BFS Policy to create a Clean Energy Policy for Florida: Rather than invest public and private dollars into increasing coal-based energy generation (to achieve a Balanced Fuel Supply), the State and utility companies should more aggressively invest in a policy to increase clean energy generating options, by increasing and providing incentives for the development of renewable energy sources, including solar and wind power generation, and co-generation.

Aggressively promote the development of alternative energy markets: Less than one percent of Florida’s energy is generated through renewable sources, indicating a huge potential market for clean energy production. Redirecting PSC policy to develop

¹⁷ Ibid. Page 21.

competitive renewable energy markets is consistent with and strengthens the PSC mission to “promote the development of competitive markets—as directed by state and federal law—by removing regulatory barriers to competition and distributed generation sources, and by emphasizing incentive-based approaches, where feasible, to regulate areas that remain subject to rate of return regulation.”

Promote and facilitate more aggressive energy conservation and efficiency: Investment in energy conservation has proven successful and should be more aggressively pursued by the state and utilities. As the Florida Energy Efficiency and Conservation Act (FEECA) Annual Report states: “As a whole, utility-sponsored Demand-Side Management (DSM) programs have reduced statewide summer peak demand by an estimated 4,588 MW, winter peak demand by 5,491 MW, and energy consumption by an estimated 5,132 GWh, since 1980. These estimated savings include DSM programs sponsored by the FEECA utilities and those which are not currently covered under FEECA. Based on the winter demand reduction, this has deferred the need for eleven typical 500 MW plants, or enough capacity to serve approximately 1.6 million households. By 2013, Demand-Side Management programs are forecasted to reduce summer peak demand by 5,5165 MW, winter peak demand by 6,393 MW, and annual energy consumption by 6,618 MW. This will benefit Florida’s ratepayers by deferring the need for additional generating capacity.”¹⁸

A new study by the American Council for an Energy-Efficient Economy focuses upon the “Potential for Energy Efficiency and Renewable Energy to Meet Florida’s Growing Energy Demands” and analyzes the economic benefits of adopting more rigorous energy efficiency, conservation and renewable energy policies. “Energy efficiency resource policies can offset the majority of projected load growth in the state over the next 15 years. Expanded development of renewable energy resources would further reduce future needs for electricity in 2023, deferring the need for many new electric power generation projects in the state. The economic savings from the policies recommended in this report can cut Florida consumers’ electricity bills by over \$7 million in 2013 and \$84 billion in 2023. While these savings will require substantial investments, they cost less than the projected cost of electricity from conventional sources.”¹⁹

While the Public Services Commission does not have the statutory mandate to promote energy efficiency in new and existing urban developments, it can and should more aggressively identify an environmentally sound set of energy policies and promote, within that, energy efficiency. For example, programs are underway nationwide to increase energy efficiency and achieve 100 percent reductions in CO₂ emissions in urban development. (Buildings, including homes, nationwide were responsible for 48 percent of all CO₂ emissions in 2003, according to the US Energy Administration statistics). One example is the Leadership in Energy and Environmental Design (LEED). Seven federal

¹⁸ Florida Public Service Commission, Annual Report on Activities Pursuant to the Florida Energy Efficiency and Conservation Act, page 8.

¹⁹ American Council for an Energy-Efficient Economy, “Potential for Energy Efficiency and Renewable Energy to Meet Florida’s Growing Energy Demands,” February 2007, Report Number E072, page iv, <http://aceee.org>.

agencies, nineteen US states, 28 municipalities (including five Florida cities) participate in LEED. Additionally, thirteen projects in Florida are incorporating LEED standards. The LEED program sets forth that “in order to reverse the trend of rising CO₂ levels, all new buildings, developments and major renovation projects must immediately cut the amount of fossil fuel energy they use to construct and operate according to these targets: 50 percent less CO₂-emitting energy use immediately; 60 percent less in 2010; 70 percent less in 2015; 80 percent less in 2020; 90 percent less in 2025, and zero CO₂ emissions in 2030 (no fossil fuel energy).”

Promote ecologically sound locations for power plants: An ecologically sound and fiscally responsible alternative to the BFS policy would be to develop policy alternatives that promote smaller plants on, or close to, load centers that are already connected to the electrical grid. Promoting decentralized co-generation or combined heat and power generators would also contribute electricity in the most efficient and cost-effective form because they recycle waste heat.

As the state regulatory agency responsible for protecting the public good, the PSC can and should develop an environmentally sound energy policy. Many models both nationally and internationally exist to achieve an environmentally clean and sound energy supply, enhance security and meet future demand for energy. Rather than focus on high risk alternatives, such as coal, the Commission should devote its time, expertise and creativity to developing and promoting a safe, environmentally sound and fiscally conservative energy future for Florida and Floridians. Thank you for your attention to this important issue. We look forward to working with the Commission to develop and promote a clean energy policy for Florida.

Sincerely,

Eric Draper
State Policy Director
Audubon of Florida
2507 Callaway Rd, Ste. 103,
Tallahassee, FL 32303-5268
(850) 222-2473
(850) 224-6056

cc: Florida Governor Charlie Crist
Florida Chief Financial Officer Alex Sink

ORIGINAL

Timolyn Henry

From: Ruth McHargue
Sent: Tuesday, March 06, 2007 4:08 PM
To: Timolyn Henry
Cc: Matilda Sanders
Subject: FW: NO TAYLOR COUNTY COAL FIRED PLANT

Please add to the docket file.

From: Angie Calhoun
Sent: Tuesday, March 06, 2007 10:21 AM
To: Ruth McHargue
Subject: FW: NO TAYLOR COUNTY COAL FIRED PLANT

To CCA for 060635

From: Carol Day [mailto:cday.morrow@earthlink.net]
Sent: Tuesday, March 06, 2007 10:01 AM
To: Consumer Contact
Subject: NO TAYLOR COUNTY COAL FIRED PLANT

Dear Members of PSC,

Please oppose the coal-fired plant for Taylor County!

Tourism is Florida's major source of revenue. We depend on clean industry to stay beautiful!!

We can't take the chance that it will pollute our land, water and air!!!

Thanks,

Carol Day
Madison, FL
850-973-4191
fax 850-973-4013
cday.morrow@earthlink.net

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OPC _____
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Ann Cole

From: Ann Cole
Sent: Monday, March 05, 2007 2:50 PM
To: Jeremy Susac
Cc: Kay Posey; Lorena Holley; Michael Cooke
Subject: RE: From John Dickert, whom I believe gave testimony during the public testimony portion of the Taylor need determination -- fyi...

Per this request, we will place the attachments and this email in the correspondence side of Docket No. 060635-EU

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

From: Jeremy Susac
Sent: Monday, March 05, 2007 1:57 PM
To: Ann Cole
Cc: Kay Posey; Lorena Holley; Michael Cooke
Subject: FW: From John Dickert, whom I believe gave testimony during the public testimony portion of the Taylor need determination -- fyi...

Ann,

Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Regards,

Jeremy S
413-6022

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

From: Katrina McMurrian
Sent: Monday, March 05, 2007 12:23 PM
To: Michael Cooke
Cc: Lorena Holley; Jeremy Susac
Subject: From John Dickert, whom I believe gave testimony during the public testimony portion of the Taylor need determination -- fyi...

The 2 attachments are from John Dickert, whom I believe gave testimony during the public testimony portion of the Taylor need determination. I received 2 messages, though they appear to be identical.

Katrina

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Global warming is human rights issue: Nobel nominee

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Reuters Photo: Canadian Inuit activist and Nobel Peace Prize nominee Sheila Watt-Cloutier speaks at the Organization of...

By Deborah Zabarenko, Environment Correspondent

Sun Mar 4, 9:03 AM ET

WASHINGTON (Reuters) - It sounds like a sick joke about global warming, with horrible punch lines:

How hot is it? So hot that Inuit people around the Arctic Circle are using air conditioners for the first time. And running out of the hard-packed snow they need to build igloos. And falling through melting ice when they hunt.

These circumstances are the current results of global climate change, according to Nobel Peace Prize nominee Sheila Watt-Cloutier, an Inuit born inside the Canadian Arctic, who maintains this constitutes a violation of human rights for indigenous people in low-lying areas throughout the world.

Watt-Cloutier and Martin Wagner, an attorney with the environmental law firm Earthjustice, argued this case on Thursday before the Inter-American Commission on Human Rights of the Organization of American States in Washington.

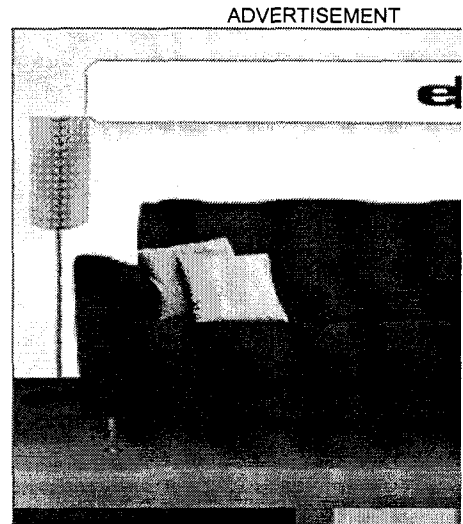
"We weren't going to go to court," Watt-Cloutier said in a telephone interview after her testimony to the commission. "It wasn't about lawsuits and suing for damage or compensation."

"It was more about really trying to get the world to pay attention and see this as a human rights issue."

Their best hope is that the commission will write a report on this issue, though even a hearing in Washington is a victory of sorts. The commission earlier rejected a petition about alleged rights violations based solely on U.S. emissions of greenhouse gases.

The human rights commission has scant powers and can do little more than publish findings and propose a resolution to the 35-member organization.

In her address to the panel, Watt-Cloutier acknowledged the challenge of connecting...



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change and human rights, but noted a practical purpose for protecting the people "the sentinels of climate change."

ENVIRONMENTAL EARLY-WARNING SYSTEM

"By protecting the rights of those living sustainably in the Amazon Basin or the Inuit hunter on the snow and ice, this commission will also be preserving the world environmental early-warning system."

Watt-Cloutier reckons there are millions of such environmental sentinels at risk, from the Inuit to residents of low-lying islands that are subject to sea level rise caused by melting ice sheets.

They chose the Organization of American States as a forum because two of the countries where Inuit communities live -- the United States and Canada -- are members. It also has members in Russia and Greenland.

For Inuit communities, ice and snow are intrinsic to physical and cultural survival, Cloutier said after the hearing. Even the building of igloos is under threat.

"You can just imagine the brilliance and the genius and the ingenuity of building igloos in snow, warm enough to have your baby sleep in," she said. "And now all of that is disappearing because snow conditions are so changed."

Many Inuit live in more conventional buildings, which are constructed mainly to keep the heat out. Unfortunately, with longer and warmer summers with 24-hour-a-day sunlight, many have turned into ovens, Watt-Cloutier said. For the first time, air conditioners are being used in the Arctic.

Seasoned Inuit hunters used to be able to tell where the ice was safe, but because the seas have started to melt sea ice from its underside, even the most experienced hunters find it hard to gauge, and some fall through, she said.

"The glaciers are melting so quickly that where our hunters used to be able to cross, now it's so unsafe that it's become torrent rivers ... and we've had a drowning as a result of that as well," she said.

Watt-Cloutier quoted a hunter in Barrow, Alaska, to sum up the impact climate change has had on Inuit life: "There's lots of anxieties and angers that are being felt by some hunters that no longer can go and hunt. We see the change, but we can't stop it, and we can't explain why it's changing. ... Our way of life is changing up here, our ocean is changing."

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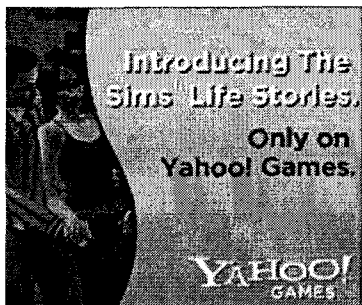
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Global warming is human rights issue: Nobel nominee

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Reuters Photo: Canadian Inuit activist and Nobel Peace Prize nominee Sheila Watt-Cloutier speaks at the Organization of...

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Sun Mar 4, 9:03 AM ET

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These circumstances are the current results of global climate change, according to Nobel Peace Prize nominee Sheila Watt-Cloutier, an Inuit born inside the Canadian Arctic, who maintains this constitutes a violation of human rights for indigenous people in low-lying areas throughout the world.

Watt-Cloutier and Martin Wagner, an attorney with the environmental law firm Earthjustice, argued this case on Thursday at the Inter-American Commission on Human Rights of the Organization of American States in Washington.

"We weren't going to go to court," Watt-Cloutier said in a telephone interview after her testimony to the commission. "It wasn't about lawsuits and suing for damage or compensation."

"It was more about really trying to get the world to pay attention and see this as a human rights issue."

Their best hope is that the commission will write a report on this issue, though even a hearing in Washington is a victory of sorts. The commission earlier rejected a petition about alleged rights violations based solely on U.S. emissions of greenhouse gases.

The human rights commission has scant powers and can do little more than publish findings and propose a resolution to the 35-member organization.

In her address to the panel, Watt-Cloutier acknowledged the challenge of connecting...

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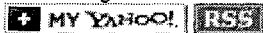
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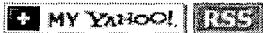


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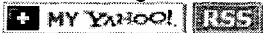
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change and human rights, but noted a practical purpose for protecting the people "the sentinels of climate change."

ENVIRONMENTAL EARLY-WARNING SYSTEM

"By protecting the rights of those living sustainably in the Amazon Basin or the Inuit hunter on the snow and ice, this commission will also be preserving the world's environmental early-warning system."

Watt-Cloutier reckons there are millions of such environmental sentinels at risk, from the Inuit to residents of low-lying islands that are subject to sea level rise caused by melting ice sheets.

They chose the Organization of American States as a forum because two of the places where Inuit communities live -- the United States and Canada -- are members. Inuit also live in Russia and Greenland.

For Inuit communities, ice and snow are intrinsic to physical and cultural survival, Cloutier said after the hearing. Even the building of igloos is under threat.

"You can just imagine the brilliance and the genius and the ingenuity of building igloos in snow, warm enough to have your baby sleep in," she said. "And now all of that is gone because snow conditions are so changed."

Many Inuit live in more conventional buildings, which are constructed mainly to keep out the cold. Unfortunately, with longer and warmer summers with 24-hour-a-day sunlight turned many into ovens, Watt-Cloutier said. For the first time, air conditioners are being used in the Arctic.

Seasoned Inuit hunters used to be able to tell where the ice was safe, but because the seas have started to melt sea ice from its underside, even the most experienced hunters find it hard to gauge, and some fall through, she said.

"The glaciers are melting so quickly that where our hunters used to be able to cross, now it's so unsafe that it's become torrent rivers ... and we've had a drowning as a result of that as well," she said.

Watt-Cloutier quoted a hunter in Barrow, Alaska, to sum up the impact climate change has had on Inuit life: "There's lots of anxieties and angers that are being felt by some hunters that no longer can go and hunt. We see the change, but we can't stop it, we can't explain why it's changing. ... Our way of life is changing up here, our ocean is changing."

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Ann Cole

From: Ann Cole
Sent: Monday, March 05, 2007 2:18 PM
To: Lorena Holley
Cc: Jeremy Susac; Michael Cooke
Subject: RE:

I have printed this attachment. If it is not already in the correspondence file, we will include it. Thank you.

From: Lorena Holley
Sent: Monday, March 05, 2007 2:03 PM
To: Ann Cole
Cc: Jeremy Susac; Michael Cooke
Subject: FW:

Ann - Please place the attached in the correspondence side of Docket No. 060635-EU. Please disregard if it has already been filed by another office. Thank you.

From: Katrina McMurrian
Sent: Thursday, March 01, 2007 4:44 PM
To: Lorena Holley
Cc: Jeremy Susac
Subject: FW:

the e-mail I mentioned... Thank you, Katrina

From: Betty Johnson [mailto:bettyjohnson@shareinet.net]
Sent: Thursday, March 01, 2007 11:47 AM
To: Lisa Edgar; Matthew Carter; Katrina McMurrian
Cc: Michael Cooke
Subject:

I trust each of you find the attached recent article of interest and concern to the State of Florida entitled *Expert: Stop building coal-fired plants*. Dr. James Hansen is NASA's scientific expert on climate change and global warming.

Florida Commissioner's Alex Sink and Charles Bronson have recently released news for public workshops to be held before the Florida Cabinet regarding this subject. For more information on these workshops see *Conversations on Climate Change* at www.fldfs.com. This morning I have requested that an official invitation be extended to Dr. James Hansen to attend these very important meetings.

With best regards,

Betty Johnson

309 NE Geranium Street
Madison, Florida 32340
Telephone: (850) 973-6500
E-mail: bettyjohnson@shareinet.net

3/5/2007



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Expert: Stop building coal-fired plants

February 27, 2007

6:01AM

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The Associated Press

WASHINGTON — One of the world's top climate scientists called for an end to building new coal-fired power plants in the United States because of their huge role in spewing out greenhouse gases that contribute to [global warming](#).

In the next decade of so, 159 coal-fired power plants are scheduled to be built, generating enough power for about 96 million homes, according to a study last month by the U.S. Department of Energy.

"There should be a moratorium on building any more coal-fired power plants," NASA scientist James Hansen told the National Press Club Monday. Hansen was one of the earliest top researchers to warn the world of [global warming](#).

Hansen's call dovetails with an edict by the private equity group buying TXU, a massive Texas-based utility. The equity group, led by Kohlberg Kravis Roberts & Co. and Texas Pacific Group, agreed to stop plans to build eight new coal-fired power plants, not to propose new coal-fired plants outside Texas and to support mandatory national caps on emissions linked to [global warming](#).

This is the first time Hansen, director of NASA's Goddard Institute for Space Studies in New York, has called for an end to coal burning. He said it's the No. 1 solution to [global warming](#), and that so far, no coal-fired plants can capture carbon dioxide emissions so they are not released into the atmosphere.

While burning oil and natural gas also release carbon dioxide, they will run out and there's more coal to burn and pollute the Earth, so it's more of a threat, Hansen said.

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"Coal is the big amount," Hansen said. "Until we have that clean coal power plant, we should not be building them. It is as clear as a bell."

Hansen, who said he was speaking as a private citizen, also told the press club that by mid-century all coal-fired power plants that do not capture and bury carbon dioxide "must eventually be bulldozed." It's foolish to build new ones if the emissions can't be dealt with, he said.

He said the increased efficiency could make up for the cutbacks in coal.

Like the Bush administration, Hansen said he had high hopes for using cellulosic ethanol, or switchgrass, as an alternative fuel. But unlike the president's plan which is big on this source for cars, Hansen proposes burning switchgrass for electrical power and sequestering the carbon dioxide emissions underwater so it would reduce the atmosphere's carbon dioxide.

Although switchgrass could reduce our dependence on oil, burning switchgrass in cars would not reduce emissions much, he said.

Coal provides about half of the United States' electricity, according to the Department of Energy.

Hansen's call "ought to be vetted by those who have an understanding of the energy demands placed on the U.S. economy," said National Mining Association spokesman Luke Popovich. "When seen in light of those demands, then statements like that will appear unreasonable, to put it charitably."

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Careers with

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Telephone: (212) 678-5500

E-mail: jhansen@giss.nasa.gov

060635-EU

Ann Cole

From: Ann Cole
Sent: Friday, February 16, 2007 11:19 AM
To: Roberta Bass
Cc: William C. Garner; Jeremy Susac; Blanca Bayo
Subject: RE: Docket No. 060635-EU

Per this email, we will do so.

Thank you.

From: Roberta Bass
Sent: Wednesday, February 14, 2007 1:09 PM
To: Blanca Bayo; Ann Cole
Cc: William C. Garner; Jeremy Susac
Subject: Docket No. 060635-EU

Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Lisa Edgar
Sent: Tuesday, February 13, 2007 12:17 PM
To: Roberta Bass
Subject: FW: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

From: john dickert [mailto:johnw512@yahoo.com]
Sent: Monday, February 12, 2007 8:41 PM
To: Lisa Edgar; Matthew Carter; Katrina McMurrian
Subject: Fwd: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

February 12, 2007

TO COMMISSIONERS, PUBLIC SERVICE COMMISSION:

2/16/2007

Dear Commission Chairman Edgar, Commissioner Tew, & Commissioner Carter:

I am writing to you because I am deeply worried about the outcome of tomorrow's PSC meeting regarding the proposed Taylor coal plant.

New information is emerging daily offering better, more efficient and more economical technologies than pulverized coal.(see article below). This requires further extensive investigation before sentencing our region to generations of life-threatening pollution.

Officials from states like California are now begging Florida officials to make responsible decisions regarding clean energy. They tell us Florida is the KEY to developing a better energy plan that would eliminate dirty coal plants in the U.S. --and eventually, China and Asia, thereby lessening the threat of global warming.

Ours is a region, that, up to now, has not been threatened by coal pollution from pulverized coal plants. There is a reason for that. Former officials understood the threat of coal pollution and chose cleaner alternatives. To start building the more polluting type pulverized coal plants in Taylor County, at a time when the whole world is trying to put the brakes on global warming, seems completely illogical. Especially when you consider that, by 2075, ten inches of sea level rise is expected creating ecological disasters.

With Florida expected to bear the brunt of global warming with stronger storms, rising waters, etc., why would we, at this point in time, start building pulverized coal plants? Ironically, some of JEA's partner cities like Jacksonville, Key West and other cities, would be the first inundated with water! That is a frightening legacy to leave future generations!

Clearly, JEA and partners are not interested in DSM and conservation. Their evasive answers and negative body gestures when those items were brought up during cross examination made that crystal clear to all in attendance. Again and again, they showed little interest in conserving offering no good solutions. They have not done their homework!

Just like Tallahassee has done, every city in this energy consortium could easily find ways to derive the energy they'd get from that proposed plant by using DSM and conservation measures, thereby sparing the citizens of our region of North Florida more than a half century of awful pollution, increased medical bills, decreased quality of life, sick, impaired children and unnecessary pain and suffering. A nightmare situation.

JEA and partners' intention is not one 800 MW coal plant, but many --for as long as they'd like to pollute our already polluted region. How much burden of sickness and disease and pain should be inflicted upon one county by other counties seeking a cleaner environment and bigger utility profits? Just so that cities from Jacksonville to the Keys can rid themselves of the most polluting part of their energy mix by thrusting it onto Taylor County's already overburdened shoulders.

Surely, ethics and morality must be factored into a decision of this magnitude that will affect generations. Surely, in Florida, human beings matter. Surely, our children's minds matter! If they do not, something is dreadfully wrong with our system of government! Surely Gov. Crist expects better.

Citizens who oppose this polluting plant in Taylor County and our region have spent over a year in long, frustrating meetings with JEA and partners. JEA's Bud Para told us, a year ago, that, whenever more energy is needed, they will build another plant in Perry --then, more as needed --once they are permitted. Bud and Mike McCain and other JEA officials also admitted to us all year that the first 800 MW coal plant would spew 300 lbs of mercury (like the plant it is modeled on in Jacksonville). Suddenly, without changing their technology, they are giving different numbers on mercury. JEA has the worst mercury emissions in our State! That is a record they cannot dispute.

JEA and partners clearly have no interest in our pain and suffering from pollution. In fact, they freely admit they intend to build at least **THREE** polluting pulverized coal plants. And, they've shown the cost of the first coal plant rapidly escalating out of sight.

Taxpayers, who are supposed to be represented and protected by the PSC, will pick up the tab for these huge additional costs, carbon penalties, medical bills, higher utility rates, higher insurance rates from inevitable stronger hurricanes caused by billions and billions of CO2 emissions over half a

century or more being spewed into the atmosphere---an endless **needless** cycle.

While the City of Jacksonville retires their dirty coal plants and profits from all the additional coal steaming into their port for all these new coal plants-- and profits soar from sales of excess energy (generated in our region without directly polluting their utility customers), our children in Taylor will grow more and more impaired, people will die of cancer, respiratory and nervous system diseases. We will reap what has been sown.

Our citizens of Taylor County are dying and sickened now from present paper mill air pollution and a terribly polluted aquifer. To add this burden is more than we can possibly bear. **While the PSC says this is not their concern, responsible citizens of Taylor and surrounding counties say the impacts on our lives cannot be ignored, not when better, less costly solutions are now available.**

The citizens of Taylor, Madison, Leon and surrounding counties are NOT willing to be sacrificed so that cities on the east coast and middle of the state can prosper at our expense.

I join thousands of others who want our rights to the clean air and water promised to us in our County and Florida Comprehensive Plans restored to us in Taylor County. I plead with you not to deprive us of those basic needs and rights of every human being.

This is not a decision that would affect our region for a year or two. It would deeply affect our region for generations, changing health outcomes and depriving our families of hope. **I am praying you will take a second look at these coal plants and, at the very least, delay any decisions until better information and analyses are forthcoming.**

I thank you. I will be there tomorrow, God willing, to hear your ideas on this issue that touches all our lives. I will be praying for each of you to make a decision that will not sacrifice the lives of any citizens of the State of Florida.

Respectfully yours,

Gale Dickert

850-584-5555

johnw512@yahoo.com

RcFurman2@aol.com wrote:

From: RcFurman2@aol.com

Date: Mon, 12 Feb 2007 18:10:48 EST

Subject: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

To: Alvaro.Linero@dep.state.fl.us, mike.sole@dep.state.fl.us, deborah.getzoff@dep.state.fl.us, jennifer.fitzwater@dep.state.fl.us, mary.jean.yon@dep.state.fl.us, nelson.munn@dep.state.fl.us, mimi.drew@dep.state.fl.us, colleen.castille@dep.state.fl.us, hamilton.oven@dep.state.fl.us, stephen.adams@dep.state.fl.us, Julianne.Klara@netl.doe.gov, susanglickman@verizon.net, edraper@audubon.org, Karnas@nwf.org, ann@hciemail.com, jliles@fwfonline.org, smullins@tnc.org, holly@EnvironmentFlorida.org, susiecaplowe@comcast.net, Andy.McLeod@tpl.org, floridaconservation@msn.com, gcavros@att.net, ken.littlefield@myfloridahouse.gov, constantine.lee.web@flsenate.gov, Capece@aol.com, marshmaid@hughes.net, pquasius@msn.com, reganej@gru.com, allengk@gru.com, WESTPHALRA@gru.com, manager@gru.com, jonymasye@gru.com, ROHunton@HuntonGroup.com, Rocky@HuntonEnergy.com, parapg@jea.com, lawsmn@jea.com, quicge@jea.com, gilbdc@jea.com, goodwg@jea.com, presad.potturi@state.nm.us, Sandra.Ely@state.nm.us, craig.ohare@state.nm.us, raj_solomon@nmenv.state.nm.us, tsinger@NRDC.org, stevenmichel@msn.com, jthompson@catf.us, dhawkins@nrdc.org, dtuft@nrdc.org, dlashof@nrdc.org, jwalke@nrdc.org,

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 mkeating@mebtel.net, CGBrinkman@aol.com

The Miami Herald
Herald.com

Posted on Sun, Feb. 11, 2007

ENERGY | POWER PLANTS

Tampa Electric's newer process avoids coal fuss

Tampa Electric Co. has operated a plant for a decade that chemically converts coal into a gas.

BY CURTIS MORGAN

cmorgan@MiamiHerald.com

Coal, the source of half of the nation's power, has a dirty reputation with environmentalists. But a plant that Tampa Electric Co. has run for a decade is the forerunner of an emerging technology that could clean up coal's reputation -- at least as a fuel. Mining is another story. While it's a leap forward from aging coal plants, the Glades Power Park proposed by Florida Power & Light still uses conventional technology, burning powdered coal hotter and cleaner. The TECO plant in Lakeland is different, converting coal into a gas that the plant burns -- a process called integrated gasification combined cycle (IGCC).

TECO president Charles Black said the company's experience has erased any engineering doubts. TECO plans a bigger one that Black said he expects to be better. "In our minds, it's proven," he said. "It's as reliable as any coal-fired unit in our system."

It offers advantages, he said -- a cheaper fuel, petroleum coke and cleaner emissions. While initial costs might be higher, he said the gap closes if the government demands that utilities capture and "sequester" carbon -- pumping gases deep underground instead of into the atmosphere.

"Our analysts say you can do that from an IGCC for about half the costs," he said.

The U.S. Department of Energy chose the carbon-capture technology in its "FutureGen" project to design a zero-emission power plant.

Black wouldn't comment on FPL's plans for its Glades plant, three times the size TECO plans, but said the process might not be the right choice for every company.

"There is not one right answer," he said. "Nuclear is not the answer. Renewables [solar

power, for instance] are going to play a role. Coal also has to play role. We just need to find a way to do that in the most environmentally responsible manner."

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Richard Furman

Consulting Engineer

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RCFurman2@aol.com

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Ann Cole

To: Roberta Bass
Cc: William C. Garner; Jeremy Susac; Blanca Bayo
Subject: RE: Docket No. 060635-EU

Per this email, we will do so today.

From: Roberta Bass
Sent: Wednesday, February 14, 2007 1:09 PM
To: Blanca Bayo; Ann Cole
Cc: William C. Garner; Jeremy Susac
Subject: Docket No. 060635-EU

Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Lisa Edgar
Sent: Tuesday, February 13, 2007 12:17 PM
To: Roberta Bass
Subject: FW: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

From: john dickert [mailto:johnw512@yahoo.com]
Sent: Monday, February 12, 2007 8:41 PM
To: Lisa Edgar; Matthew Carter; Katrina McMurrian
Subject: Fwd: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

February 12, 2007

TO COMMISSIONERS, PUBLIC SERVICE COMMISSION:

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2/14/2007

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(generated in our region without directly polluting their utility customers), our children in Taylor will grow more and more impaired, people will die of cancer, respiratory and nervous system diseases. We will reap what has been sown.

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The citizens of Taylor, Madison, Leon and surrounding counties are NOT willing to be sacrificed so that cities on the east coast and middle of the state can prosper at our expense.

I join thousands of others who want our rights to the clean air and water promised to us in our County and Florida Comprehensive Plans restored to us in Taylor County. I plead with you not to deprive us of those basic needs and rights of every human being.

This is not a decision that would affect our region for a year or two. It would deeply affect our region for generations, changing health outcomes and depriving our families of hope. **I am praying you will take a second look at these coal plants and, at the very least, delay any decisions until better information and analyses are forthcoming.**

I thank you. I will be there tomorrow, God willing, to hear your ideas on this issue that touches all our lives. I will be praying for each of you to make a decision that will not sacrifice the lives of any citizens of the State of Florida.

Respectfully yours,

Gale Dickert

850-584-5555

johnw512@yahoo.com

RcFurman2@aol.com wrote:

From: RcFurman2@aol.com

Date: Mon, 12 Feb 2007 18:10:48 EST

Subject: WHY TAMPA ELECTRIC SELECTS IGCC PLANT

To: Alvaro.Linero@dep.state.fl.us, mike.sole@dep.state.fl.us, deborah.getzoff@dep.state.fl.us, jennifer.fitzwater@dep.state.fl.us, mary.jean.yon@dep.state.fl.us, nelson.munn@dep.state.fl.us, mimi.drew@dep.state.fl.us, colleen.castille@dep.state.fl.us, hamilton.oven@dep.state.fl.us, stephen.adams@dep.state.fl.us, Julianne.Klara@netl.doe.gov, susanglickman@verizon.net, edraper@audubon.org, Karnas@nwf.org, ann@hciemail.com, jliles@fwfonline.org, smullins@tnc.org, holly@EnvironmentFlorida.org, susiecaplowe@comcast.net, Andy.McLeod@tpl.org, floridaconservation@msn.com, gcavros@att.net, ken.littlefield@myfloridahouse.gov, constantine.lee.web@flsenate.gov, Capece@aol.com, marshmaid@hughes.net, pquasius@msn.com, reganej@gru.com, allengk@gru.com, WESTPHALRA@gru.com, manager@gru.com, jonynasye@gru.com, ROHunton@HuntonGroup.com, Rocky@HuntonEnergy.com, parapg@jea.com, lawsmn@jea.com, quicge@jea.com, gilbdc@jea.com, goodwg@jea.com, presad.potturi@state.nm.us, Sandra.Ely@state.nm.us, craig.ohare@state.nm.us, raj_solomon@nmenv.state.nm.us, tsinger@NRDC.org, stevenmichel@msn.com, jthompson@catf.us, dhawkins@nrdc.org, dtuft@nrdc.org, dlashof@nrdc.org, jwalke@nrdc.org, tgreeff@nrdc.org, psimms@nrdc.org, john.ryan@pipevines.net, ktew@psc.state.fl.us, ledgar@psc.state.fl.us, mcarter@psc.state.fl.us, mbane@psc.state.fl.us, mopalinski@seminole-electric.com,

jfrauen@seminole-electric.com, katza@talgov.com, gillum@talgov.com,
 ewest0906@comcast.net, ray.bellamy@med.fsu.edu,
 ksmiller@mail.fsu.edu, johnw512@yahoo.com, diane@gtcom.net,
 hope@gtcom.net, hopeforcleanwater@yahoo.com, mcvety@nettally.com,
 SMITTY@citizen.org, karen@seedcoalition.org, sanderson@ed.org,
 ralvarez@environmentaldefense.org, don.knight@dallascityhall.com,
 jim.schutze@dallasobserver.com, margiel3@swbell.net,
 craig.estes@senate.state.tx.us, byazdani@tamu.edu,
 peter.haskel@dallascityhall.com, kwhite@citizen.org,
 NanHildreth@riseup.net, trammell@tscrow.com,
 garrettb@containerstore.com, dlitman@wildflowerinvestments.com,
 mkeating@mebtel.net, CGBrinkman@aol.com

The Miami Herald
Herald.com

Posted on Sun, Feb. 11, 2007

ENERGY | POWER PLANTS

Tampa Electric's newer process avoids coal fuss

Tampa Electric Co. has operated a plant for a decade that chemically converts coal into a gas.

BY CURTIS MORGAN

cmorgan@MiamiHerald.com

Coal, the source of half of the nation's power, has a dirty reputation with environmentalists. But a plant that Tampa Electric Co. has run for a decade is the forerunner of an emerging technology that could clean up coal's reputation -- at least as a fuel. Mining is another story. While it's a leap forward from aging coal plants, the Glades Power Park proposed by Florida Power & Light still uses conventional technology, burning powdered coal hotter and cleaner. The TECO plant in Lakeland is different, converting coal into a gas that the plant burns -- a process called integrated gasification combined cycle (IGCC).

TECO president Charles Black said the company's experience has erased any engineering doubts. TECO plans a bigger one that Black said he expects to be better. "In our minds, it's proven," he said. "It's as reliable as any coal-fired unit in our system."

It offers advantages, he said -- a cheaper fuel, petroleum coke and cleaner emissions. While initial costs might be higher, he said the gap closes if the government demands that utilities capture and "sequester" carbon -- pumping gases deep underground instead of into the atmosphere.

"Our analysts say you can do that from an IGCC for about half the costs," he said.

The U.S. Department of Energy chose the carbon-capture technology in its "FutureGen" project to design a zero-emission power plant.

Black wouldn't comment on FPL's plans for its Glades plant, three times the size TECO plans, but said the process might not be the right choice for every company.

"There is not one right answer," he said. "Nuclear is not the answer. Renewables [solar power, for instance] are going to play a role. Coal also has to play a role. We just need to find a way to do that in the most environmentally responsible manner."

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<http://www.miami.com>

Richard Furman

Consulting Engineer

NEW ENERGY TECHNOLOGY

10404 S.W. 128 Terr. WORK: (305) 232-4074
MIAMI, FLORIDA 33176 CELL: (305) 439-5604
RCFurman2@aol.com

Food fight? Enjoy some healthy debate
in the Yahoo! Answers Food & Drink Q&A.



ORIGINAL

MADISON COUNTY E.M.S
P.O. BOX 539 * MADISON, FL 32341
850-973-4001



Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

January 29, 2007

Subject: Docket # 060635 - EU. Need determination, Taylor County coal plant

RECEIVED-SPSC
07 FEB -8 AM 9:40
COMMISSION
CLERK

Honorable Commissioners:

I have been advised of some of the evidence presented to your commission on the above referenced item that relates to the probability of increased rail traffic here in Madison County by the operations of the proposed coal-fired electric generating plant in Taylor County, Florida.

As the E.M.S. Director, charged with the responsibility of providing ambulance service throughout Madison County, I am concerned with response time to the areas that lie south and west of our railroad tracks. We are stationed in the city of Madison, and there is only one overpass (S.R. 53) that allows us to proceed without interference from a passing train. Our response to the Greenville area is about 12 to 14 minutes. There has been several times that we have arrived in Greenville, only to be delayed several more minutes by a passing train. The same scenario has occurred in Lee, Florida, which we have a response time of 7 minutes. We routinely respond to automobile accident on I-10. Again, the only unimpeded access in case of train traffic, is on S.R. 53. Increased rail traffic could affect response times to emergencies in Madison County.

Please give this problem some consideration when your commission addresses this issue.

Respectfully,

Juan Botino
911 Coordinator

- CMP _____
- COM _____
- CTR _____
- ECR 1
- GCL 1
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC _____
- DTH _____

RECEIVED
FEB 27 2007
Tallahassee, Florida
32399-0850

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-

RECEIVED 11:50
07 JAN 31 AM 10:00
COMMISSION
CLERK

DATE: January 29, 2007
TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director
FROM: Roberta S. Bass, Assistant to Chairman Edgar *Rsb*
RE: Correspondence from Interested Person Received in Docket No. 060635-EU

Please place the attached correspondence in the above referenced docket. If you have any questions about this request, please call me.

Attachment

cc: Manuel Arisso
William Garner
Jeremy Susac
Ralph Lair
Jennifer Brubaker

January 29, 2007

TO: The Florida Public Service Commission
ATTN: Commissioners Edgar, Tew and Carter; Attorney Brubaker.

FROM: Barry G. Parsons, Madison County

SUBJECT: DOCKET NO. 060635-EU Determination of Need, Taylor Energy
Center coal-fired electric power-generating plant, Perry, FL

A CITIZEN'S PERSPECTIVE.

I have thought a lot about your recent hearings on the Taylor County coal plant proposal. I keep working over the questions, Why a coal plant when coal plants contribute a third of all greenhouse gases produced in the United States, and nearly 40% of the Carbon Dioxide? And why, given the already high levels of mercury in the north Florida environment?

I submit that the answer can be adduced with the time-tested Watergate lesson of a third of a century ago: follow the money.

Please consider:

1. The gross disparity between the 180 demand-side measures considered and rejected by the Taylor Energy Center vs. testimony from other qualified parties with less vested interest that there are 5,000 possible demand side measures that could have been examined.
2. The fact that RIGHT AFTER the Taylor County Commission approved the enabling land use/comp plan changes in November, these two things happened:
 - a) the TEC upped its commitment of funds to Taylor County projects over the future from \$170 million to \$179 million;
 - b) the total cost estimate for the plant bumped upwards by half a billion dollars.

Ann Cole

From: Ann Cole
Sent: Wednesday, January 24, 2007 3:34 PM
To: Jennifer Brubaker
Subject: Confirmation Reply

As per your request, this email and the 7-page attachment, Public School Enrollment Trends, will be included in the correspondence side of Docket No. 060635-EU.

From: Jennifer Brubaker
Sent: Wednesday, January 24, 2007 2:11 PM
To: Ann Cole
Subject: FW:

Please include this e-mail and attachment in the correspondence side of Docket No. 060635-EU. Thank you.

Jennifer Brubaker
Florida Public Service Commission
Office of the General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 323999-0850
Telephone: (850) 413-6228
Facsimile: (850) 413-6229
jbrubake@psc.state.fl.us

From: ledon&lynnre reynolds [mailto:ledon@gtcom.net]
Sent: Monday, January 15, 2007 8:59 AM
To: Kirsten Olsen
Subject:

I testified on January 10, 2007 against the Coal-fired plant to be built in Taylor County, Florida. I spoke about the decline of student enrollment (membership) in 2006. I would like to add this to the documentation that I presented. I Googled Public School Enrollment Trends and brought it up for the state of Florida. I believe that the demographics is changing in Florida as noted by the decline of students entering the public schools.

Public School Enrollment Trends

Statewide

1. The increase in public school enrollment for the 2005-06 school year was the lowest since 1984-85 and was lower than forecasted.

33,459
 Growth in Fall 2005 membership which was the lowest annual growth since 1984-85 (Figure 1). The lower growth was in spite of receiving over 6,000 students from Mississippi and Louisiana who were displaced by Hurricane Katrina.

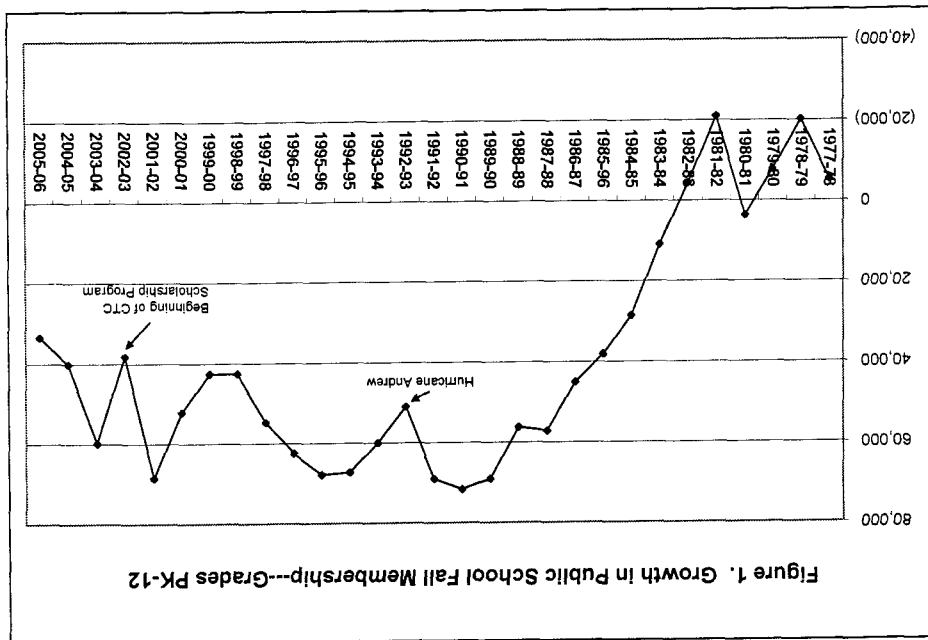


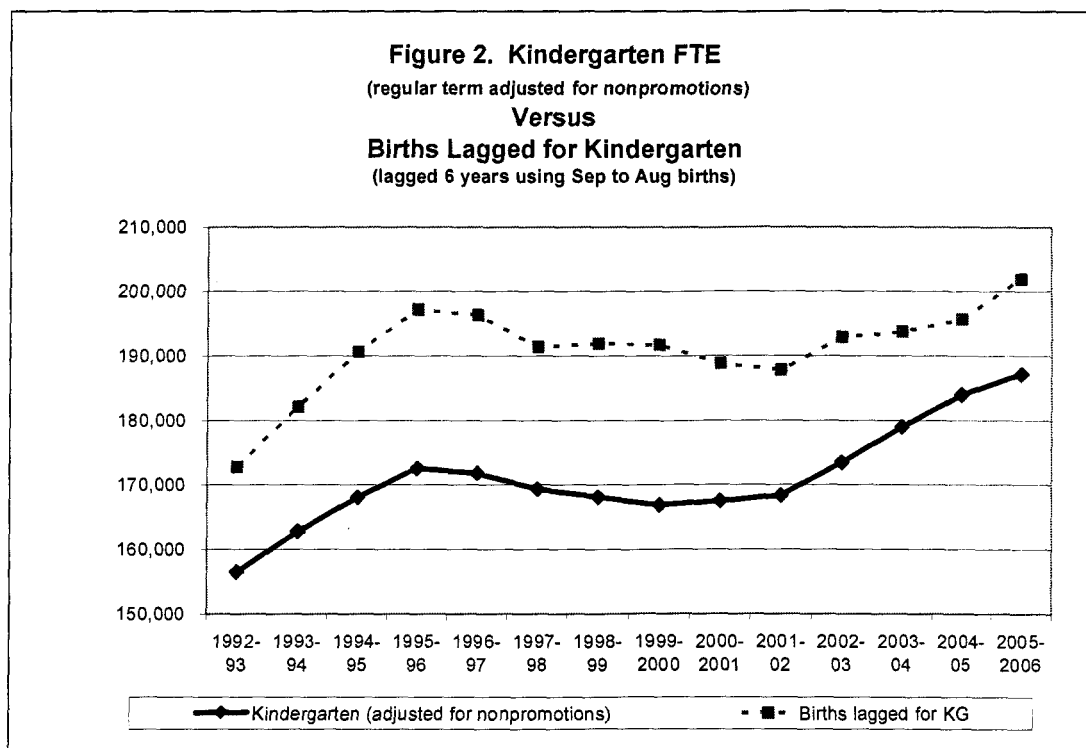
Figure 1. Growth in Public School Fall Membership--Grades PK-12

31,527.35 Actual Growth in Florida Education Finance Program (FEFP) Full-Time Equivalent (FTE) student enrollment for 2005-06. This was a 1.2 percent increase over 2004-05 school year FTE student enrollment.

65,474.15 Forecasted Growth in FEFP FTE student enrollment for 2005-06. A 2.5 percent increase over 2004-05 enrollment was expected.

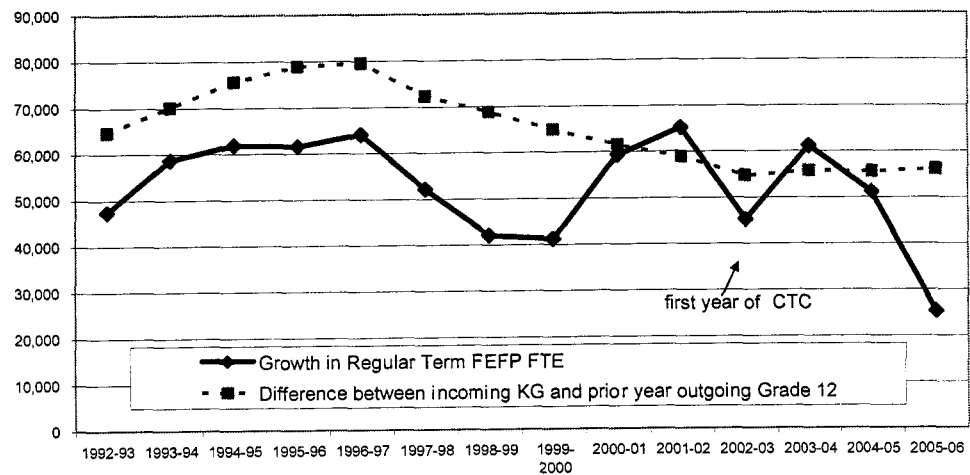
FEFP FTE differs from Fall membership. FEFP FTE is counted four times a year. The regular term (180-day) counts are in October and February. Thus, the FEFP FTE is an average of the membership for the year. Fall membership is a snapshot of the enrollment at one point in time. Fall membership includes all prekindergarten students; FEFP FTE includes only the prekindergarten students who are disabled or children of teenage parents.

The kindergarten grade is one of the most important and most difficult grades to forecast. Figure 2 shows that the relationship between actual kindergarten FTE and births six years prior changed in 2005-06 from the relationship in the previous two years. In 2003-04 and 2004-05 the kindergarten FTE increased at a higher rate than the lagged births; in 2005-06 the kindergarten FTE increased at a lower rate than the lagged births.



The difference between the incoming kindergarten students and the outgoing grade 12 students typically can explain much of the variance in the growth. However, this pattern was not true for 2005-06 (Figure 3).

**Figure 3. Growth in Regular Term FEFP FTE
 Versus
 Difference Between Incoming KG Grade FTE
 and Prior Year Outgoing Grade 12 FTE**



Data are regular term FEFP FTE for the 67 regular school districts. Thus, summer term enrollment and enrollment in special districts are excluded.

2. The slowdown in growth began during the second half of the 2004-05 school year and has continued for both semesters of the 2005-06 school year (Figures 4-7).

Figure 4. FTE Student Enrollment for Oct and Feb Counts of the School Year---Grades PK-12

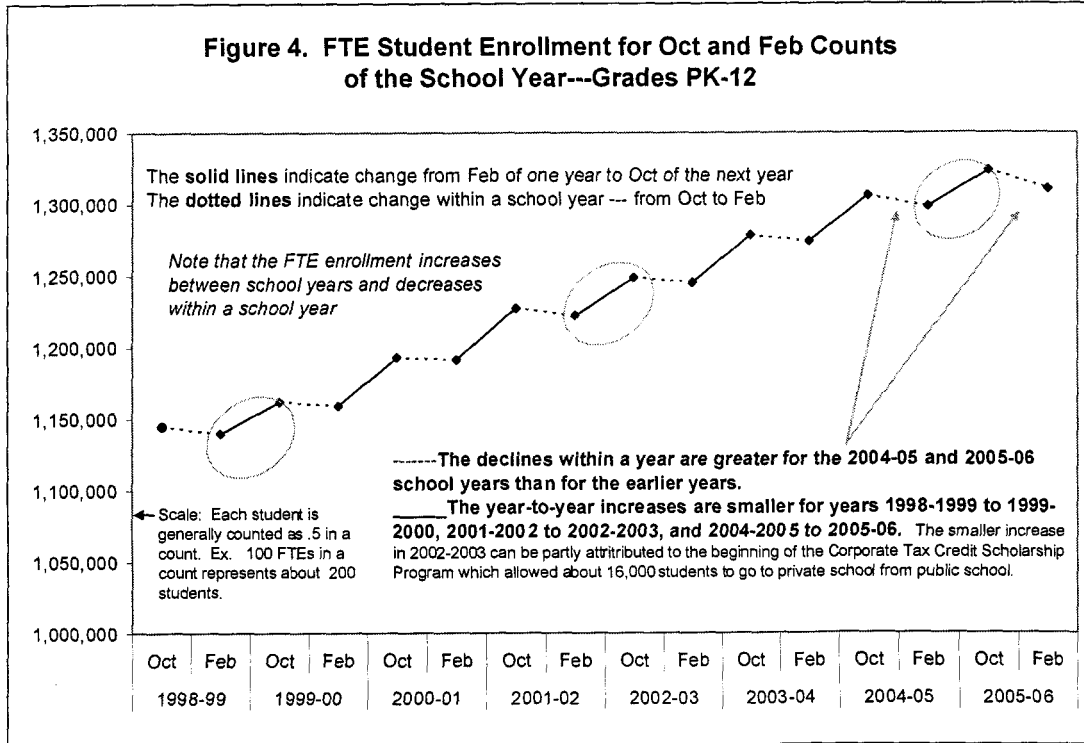
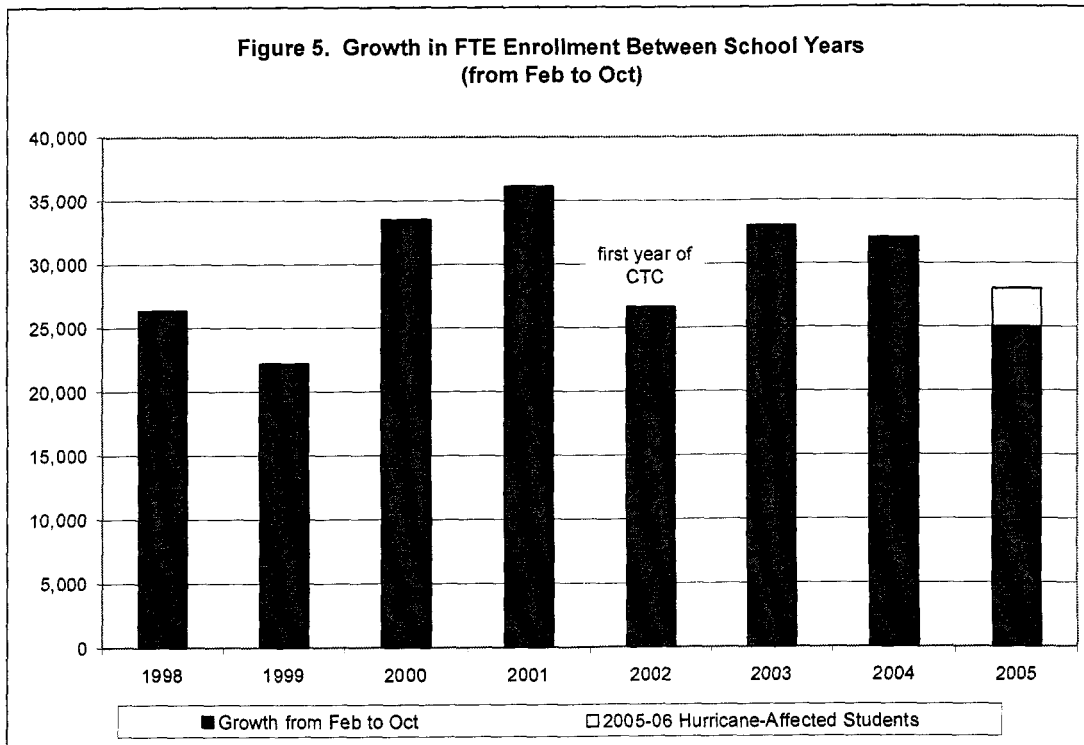
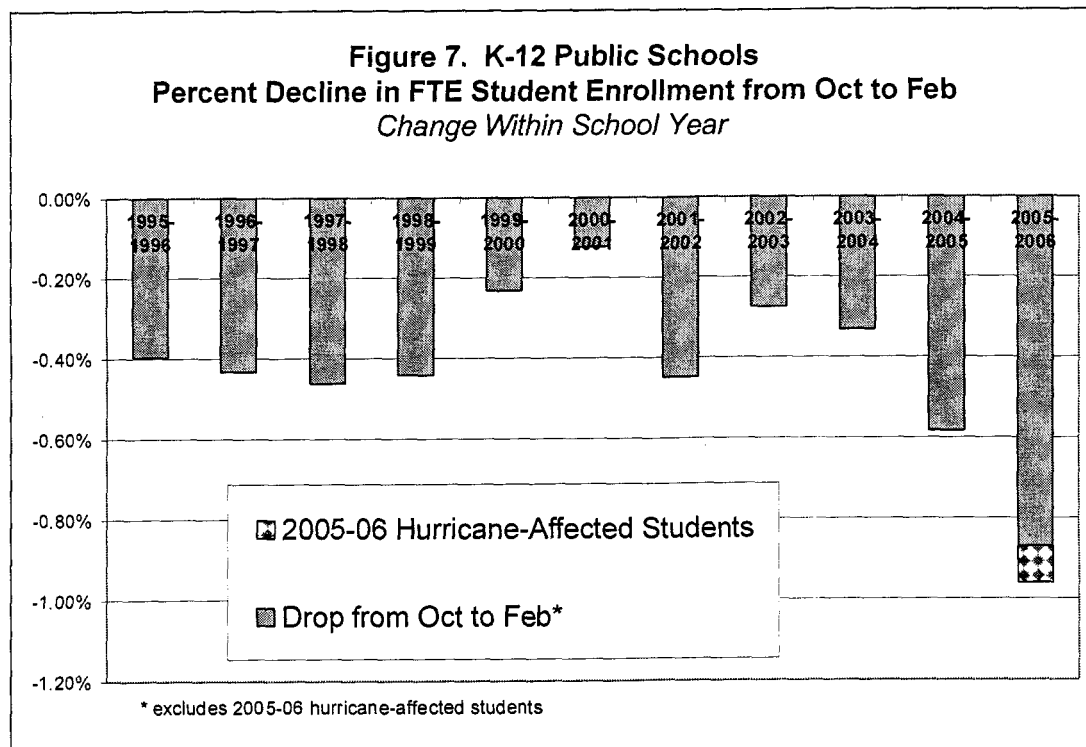
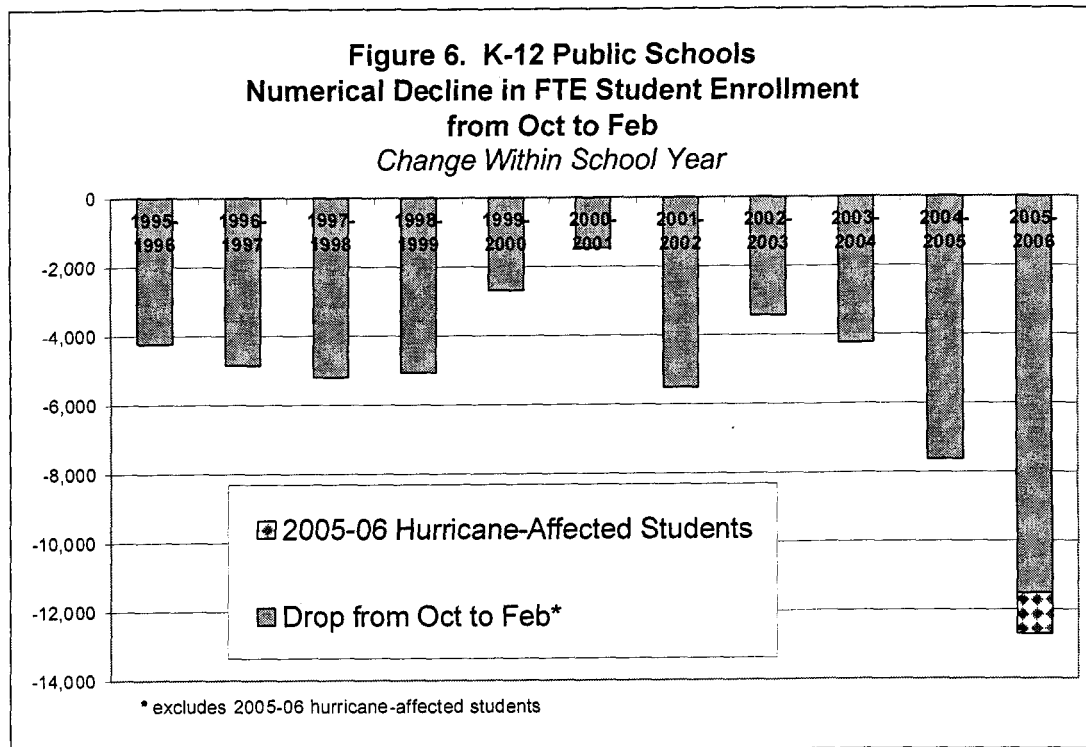


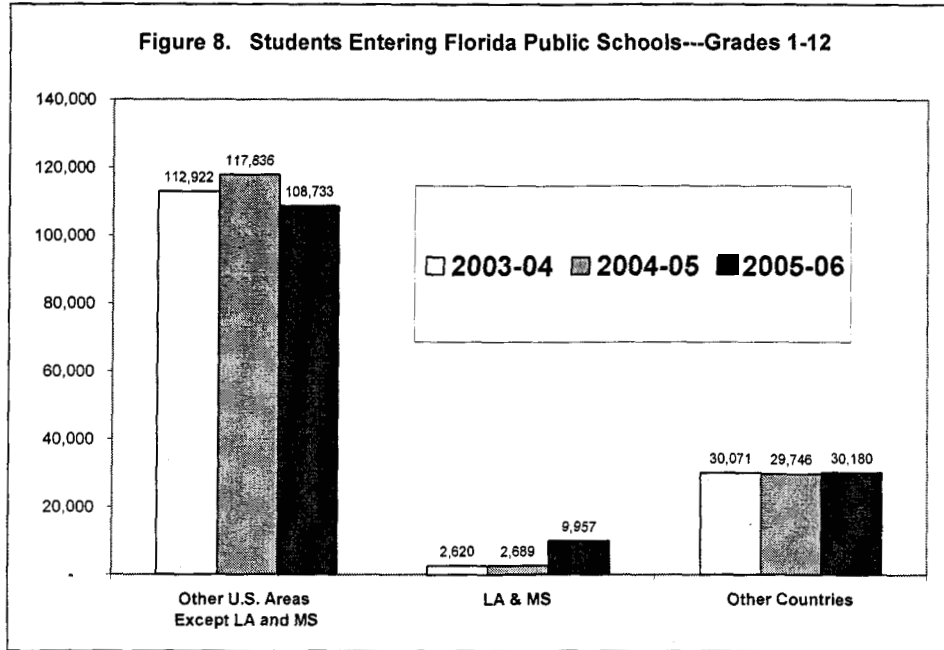
Figure 5. Growth in FTE Enrollment Between School Years (from Feb to Oct)





3. The slowing of growth is due to fewer students entering the system from other U.S. areas and possibly to more students leaving the system. (The following estimates² are rounded to the nearest hundred.)

9,100 *Fewer students entering from other U.S. areas (except for LA and MS) in the 2005-06 school year than in the 2004-05 school year (Figure 8).*



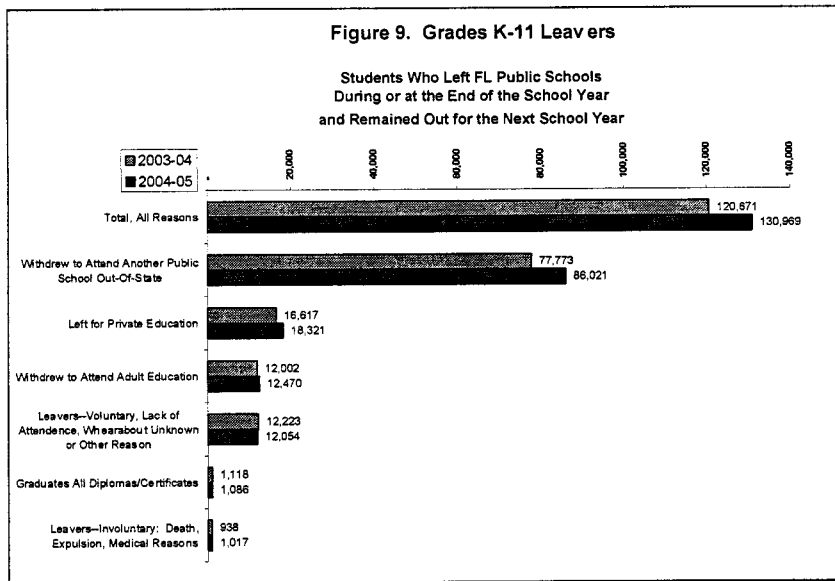
10,300 *More student leavers³ in 2004-05 than in 2003-04 (Figure 9). These additional 2004-05 leavers are students who left during or at the end of the 2004-05 school year and did not re-enroll during the 2005-06 school year.*

8,200 *Increase in student leavers who left to attend a public school in another state.*

1,700 *Increase in student leavers who left to attend a private school or home school either in Florida or elsewhere.*

² Although the input data for this analysis are counts of all student enrollment changes, the analysis relies upon matching of records within a year and across years. Error in matching records is present; thus, the figures in this section are estimates and not counts.

³ A leaver for this analysis is a student who leaves the public school system and stays out of the system at least 12 months.



Since there are only two intervals for comparisons, it is unclear whether or not this increase in leavers is typical. However, the corresponding slowdown in growth of the FTE student enrollment beginning in the second semester of 2004-05 indicates that this increase in leavers may be atypical.

No change *Number of students entering from other countries.* This source remained fairly stable at about 30,000 students entering annually.

Ann Cole

From: Ann Cole
Sent: Wednesday, January 24, 2007 2:47 PM
To: Jennifer Brubaker
Subject: RE: email message for Commissioner Mathew Carter and others

Per this email, we will do so.

From: Jennifer Brubaker
Sent: Wednesday, January 24, 2007 2:10 PM
To: Ann Cole
Subject: FW: email message for Commissioner Mathew Carter and others

Please include this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Jennifer Brubaker
Florida Public Service Commission
Office of the General Counsel
2540 Shumard Oak Blvd.
Tallahassee, FL 323999-0850
Telephone: (850) 413-6228
Facsimile: (850) 413-6229
jbrubake@psc.state.fl.us

From: Bellamy, Raymond (Tallahassee) [mailto:ray.bellamy@med.fsu.edu]
Sent: Sunday, January 14, 2007 5:30 PM
To: Kirsten Olsen
Subject: email message for Commissioner Mathew Carter and others

PSC Commissioners, I spoke on Jan. 10 against the TEC coal plant application, partly on the cost of the adverse health effects which will result from this dinosaur of a pulverized coal plant. I mentioned the danger to taxpayers of the state and ratepayers who will have to deal with the fact carbon taxes will make such a plant a less viable option from an economic standpoint, probably before it is built. This calls to mind a PSC Commissioner named Joe Cresse, now deceased, I think, who was willing to take a leadership role on the PSC and think outside the box, rather than rubber stamping requests made by utilities. I feel sure he would demand cost comparisons for the TEC plant using information for likely carbon capture mandates, which pulverized coal plants are ill-equipped to do, but IGCC plants can be readily adapted for, and are reliable and state of the art. I think Commissioner Cresse might demand further coal fired power plants in Florida all use IGCC technology as the most reasonable from an economic standpoint as well as best from an environmental and health standpoint. Please do not rubber stamp this awful monster.... instead require up to date technology which can adapt to carbon capture and which will surely be less expensive for utility ratepayers over the 50 year lifespan of the plant.

Ray Bellamy, MD, Tallahassee

Ann Cole

From: Office of the Chairman
Sent: Thursday, January 11, 2007 12:54 PM
To: Ann Cole
Subject: FW: Coal Plant

Please place this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Tom Benham [mailto:tom@benham.org]
Sent: Thursday, January 11, 2007 9:06 AM
To: Office of the Chairman
Subject: Coal Plant

Dear Madam Chairman:

I believe that over the next 10-30 years, we will see the widespread acceptance and use of plug-in electric powered vehicles, which as far as I can tell, are being ignored in the planning for the state's future energy needs. While much of this consumption will come at night, there will be plenty of new peak demand for power that will need to be met. Additionally, I believe we will see an increase in the rate of population growth for northern Florida.

I would prefer to see the construction of new nuclear facilities in the state. (At a minimum, I believe the state should be setting aside pre-approved areas for the future construction of nuclear plants, which would take us into the next century.) In addition, while I think coal is a less desirable fuel than uranium, I nevertheless strongly support the building of a modern coal fired plant in the Taylor Energy Center.

It is clear that supplies of natural gas in the US are seriously limited, and even with the eventual opening of more drilling in the Gulf, we already have strong demand nationwide and within Florida for gas. I am concerned that we are likely to see at least a tripling of natural gas prices over the next 5-10 years. Recently, we have seen how volatile the market can be. Further, this year has been a rare exception to normal consumption due to the unseasonably warm weather in the NE US. While new LNG offloading facilities will eventually come on line, I believe the US should work towards permanent energy independence.

Yours truly,

Thomas R. Benham
941 Piney Z Plantation Road

1/12/2007

Tallahassee, FL 32311-1250

850-391-1301

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

Kimberley Pena

From: Ann Cole
Sent: Wednesday, January 10, 2007 4:25 PM
To: Kimberley Pena
Subject: FW: Coal plant

please check on...

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

From: Roberta Bass
Sent: Wednesday, January 10, 2007 8:31 AM
To: Ann Cole
Cc: Carlotta Stauffer; Jennifer Brubaker
Subject: FW: Coal plant

Please include this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

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

From: Office of the Chairman
Sent: Tuesday, January 09, 2007 1:09 PM
To: Roberta Bass
Subject: FW: Coal plant

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

From: Manfred E Deckert [mailto:fdeckert1@juno.com]
Sent: Tuesday, January 09, 2007 7:32 AM
To: Office of the Chairman
Subject: Coal plant

Ms. Edgar,

Thanks for your article on the PSC determination of viability of the proposed coal plant. However, I was sadly

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

disappointed that nowhere in the list of considerations was there any consideration of the deleterious effect of the coal plant emissions on the public welfare. That would seem to be a definite part of the PSC charter. Coal may well be a source of our future energy needs, but certainly not in the methods presently used to mine or use it. Better, but more expensive options for coal are available, but as usual, business considerations easily overwhelm public good.

I hope your commission will take a more active role in protecting public health as well as financial considerations.

Sincerely,

Manfred Deckert
Tallahassee, FL

Ann Cole

From: Roberta Bass
Sent: Wednesday, January 10, 2007 8:32 AM
To: Ann Cole
Cc: Carlotta Stauffer; Jennifer Brubaker
Subject: FW: TEC Coal plant

Please include this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

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

From: Office of the Chairman
Sent: Tuesday, January 09, 2007 1:08 PM
To: Roberta Bass
Subject: FW: TEC Coal plant

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

From: Joe Cain 3 [mailto:joecain1@comcast.net]
Sent: Tuesday, January 09, 2007 9:51 AM
To: Office of the Chairman
Subject: TEC Coal plant

Dear Ms Edgar,

I will be unable to attend the hearing tomorrow evening for medical reasons. I hope that my input will be considered in any event. As chair of the public relations committee of the Tallahassee Scientific Society (TSS) I have put up a web page at:

<http://geomag.gfdi.fsu.edu/tss-copa/coal.html>

which I try to keep up to date as new information is available.

Please note that TSS takes no position on this issue; the web page is for information only. What follows below is my own personal view.

I attended a long session several weeks ago held by the city of Tallahassee where the desirability of continued participation in the plant was discussed. What I observed was a large number of environmentally oriented individuals who mainly made emotional appeals with little factual substantiation to terminate the city's relations with the Taylor Energy Company.

As you can see on the web page, the cost of coal remains at about \$1.70 per MMBtu (million BTU) whereas gas prices averaged \$7.29. Thus the long term cost of generation with coal must eventually be considerably less than gas. The price of gas has been lower than usual in recent months due to the warmer weather. However, such gas prices can easily spike with a cold winter or danger of cut offs from hurricanes. At present the residential electric rate of 13 cents per kw-hr is among the highest in the states.

One argument by the environmental groups is that conservation will negate the need for added power. I have looked into ways to reduce my own energy use by such means as

replacing single pane by double pane windows, as well as replacing older inefficient heat pumps on our rental properties with more efficient modern units. In all cases the payback time for energy savings is 15-25 years so it is unlikely that I would invest in such improvements. I do not believe that retrofits or the energy conservation plan of Tallahassee will have any effect for many decades. Their biomass generating plant would add little to the present resource, and it has not been shown that the savings in cost would be significant.

If added pollution is a concern the information on the TSS web page is indicative that environmental concerns are very exaggerated.

Joseph Cain joecain1@comcast.net
Phones: (850) 385-0227; or Fax (after call to setup) Tallahassee FL 32312-3029
<http://mywebpages.comcast.net/joecain1>

Ann Cole

From: Roberta Bass
Sent: Wednesday, January 10, 2007 8:30 AM
To: Ann Cole
Cc: Carlotta Stauffer; Jennifer Brubaker
Subject: FW: Tallahassee Democrat Article Today

CONSUMER

Please include this e-mail in the correspondence side of Docket No. 060635-EU. Thank you.

Roberta

Roberta S. Bass
Chief Advisor to Chairman Edgar
2540 Shumard Oak Blvd
Tallahassee, Florida 32399-0854

Office (850) 413-6016
Fax (850) 413-6017
Email Roberta.Bass@PSC.STATE.FL.US

From: Office of the Chairman
Sent: Tuesday, January 09, 2007 5:09 PM
To: Roberta Bass
Subject: FW: Tallahassee Democrat Article Today

From: Liza Sullivan [mailto:liza@upstreamart.com]
Sent: Tuesday, January 09, 2007 3:57 PM
To: Office of the Chairman
Subject: Tallahassee Democrat Article Today

Dear Chairperson Edgar:

Thank for explaining the process of the Taylor coal plant need determination hearing. Please remember to include health care costs in your formula for consumers to have affordable electricity at a reasonable cost.

Thank you for your consideration.

A concerned yoga instructor,

Liza Sullivan

DOCUMENT NUMBER - DATE

09034 OCT-25

FPSC-COMMISSION CLERK

1/10/2007