

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

TO

FLORIDA MUNICIPAL POWER AGENCY

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 080253-EM

PETITION TO DETERMINE NEED FOR CANE ISLAND POWER PARK UNIT 4
ELECTRICAL POWER PLANT IN OSCEOLA COUNTY,
BY FLORIDA MUNICIPAL POWER AGENCY.

ISSUED: June 24, 2008

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Municipal Power Agency (FMPA) for determination of need for Cane Island Power Park Unit 4 electrical power plant in Osceola County at the following time and place:

Monday - Tuesday, August 4 - 5, 2008, at 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for FMPA's proposed electrical power plant in Osceola County, Florida. This proceeding shall: (1) allow FMPA to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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The proceedings will be governed by the provisions of Chapter 120, F.S., Section 403.519, F.S., and Chapters 25-22 and 25-106, Florida Administrative Code (F.A.C.).

Under Section 403.519, F.S., the Commission is the sole forum for the determination of need for the proposed electrical power plant. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for fuel diversity and supply reliability, the need for adequate electricity at a reasonable cost, and whether the proposed plant is the most cost-effective alternative available. In addition, the Commission must expressly consider any renewable energy sources and technologies or conservation measures taken by or reasonably available to FMPA which might mitigate the need for the plant. The Commission may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plant shall create a presumption of public need and necessity and shall serve as the Commission's report required by subsection 403.507(2)(a)2, F.S. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed electrical power plant will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed plant. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, August 4, 2008. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony. By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, F.A.C., with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, F.S., and Rule 28-106.106, F.A.C. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), F.A.C., and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

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

Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Re: Docket No. 080253-EM

GENERAL LOCATION AND PROJECT DESCRIPTION

FMPA proposes the construction of one new unit, to be known as Cane Island Unit 4, which will be a high-efficiency, 1x1 F class, natural gas-fueled combined cycle unit, consisting of a combustion turbine and a heat recovery steam generator that will drive a steam turbine generator. The new unit will be capable of generating nominally 300 megawatts (MW). The projected in-service date for Cane Island Unit 4 is May 1, 2011. The proposed new unit will be wholly owned by FMPA and operated under contract by Kissimmee Utility Authority (KUA), an "All-Requirements Power Supply Project" (ARP) member utility. All of the generation capacity from the unit will be committed to ARP members for retail sale to their customers.

PREHEARING CONFERENCE

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

Monday, July 21, 2008, at 9:30 a.m.
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

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

EMERGENCY CANCELLATION OF HEARING

If settlement of the case or a named storm or other disaster requires cancellation of the hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the hearing will also be provided on the Commission's website

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(<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

JURISDICTION

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

A copy of FMPA's petition for determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Office of Commission Clerk
Room 110 - Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Any person requiring some accommodation at this hearing because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

By DIRECTION of the Florida Public Service Commission this 24th day of June, 2008.



ANN COLE
Commission Clerk

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