

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF COMMISSION HEARING AND PREHEARING

TO

[PARTIES OF RECORD]

AND

ALL OTHER INTERESTED PERSONS

150196-EI

PETITION FOR DETERMINATION OF NEED FOR OKEECHOBEE CLEAN ENERGY  
CENTER UNIT 1, BY FLORIDA POWER & LIGHT COMPANY.

ISSUED: October 23, 2015

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission will hold a public hearing in the above-referenced docket regarding Florida Power & Light Company's (FPL) petition for a determination of need for the proposed Okeechobee Clean Energy Center Unit 1, at the following time and place:

HEARING

A hearing will be held in this matter at the following time and place:

9:30 a.m., Tuesday–Wednesday, December 1–2, 2015  
Hearing Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

The hearing may be adjourned early if all testimony is concluded.

PURPOSE AND PROCEDURE

The purpose of this hearing is for the Commission to consider FPL's petition and to take final action to determine the need for FPL's proposed Okeechobee Clean Energy Center Unit 1, pursuant to Section 403.519, Florida Statutes (F.S.).

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This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition; (2) permit intervenors to present testimony and exhibits concerning FPL's petition; (3) permit members of the public, who are not parties to this need determination proceeding, the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. The Commission may also consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement.

The proceeding will be governed by the provisions of Chapter 120, F.S., Section 403.519, F.S., and Chapters 25-22 and 28-106, 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 Okeechobee Clean Energy Center Unit 1 power plant. In making its determination, the Commission must take into account: (1) the need for electric system reliability and integrity; (2) the need for fuel diversity and supply reliability; (3) the need for adequate electricity at a reasonable cost; (4) whether the construction of the proposed Okeechobee Clean Energy Center Unit 1 is the most cost-effective alternative available; and (5) whether renewable energy sources and technologies or conservation measures taken by, or reasonably available to, FPL that might mitigate the need for the construction of the proposed Okeechobee Clean Energy Center Unit 1. The Commission may also consider other matters within its jurisdiction in which it may deem relevant.

The Commission's determination of need for the proposed Okeechobee Clean Energy Center Unit 1 shall create a presumption of public need and necessity and shall serve as the Commission's report required by Section 403.507(4), 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 Okeechobee Clean Energy Center Unit 1 by FPL will be heard at the hearing. Separate public hearings may be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed Okeechobee Clean Energy Center Unit 1 by FPL, as required by the "Power Plant Siting Act," Sections 403.501-403.519, F.S.

Members of the public who are not parties to the need determination proceeding shall have an opportunity to present testimony at the hearing regarding the need for the proposed construction of the Okeechobee Clean Energy Center Unit 1. Any member of the public who wishes to offer testimony at the hearing should be present at the beginning of the hearing on December 1, 2015, at 9:30 a.m. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

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By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five (5) days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, F.A.C. A Petition for Intervention must conform to 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, pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed Okeechobee Clean Energy Center Unit 1 may be filed with the Commission Clerk electronically on the “Clerk’s Office” tab of the Commission’s website ([www.floridapsc.com](http://www.floridapsc.com)) or by U.S. Mail at:

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
RE: Docket No. 150196-EI

GENERAL LOCATION AND PROJECT DESCRIPTION

FPL proposes to construct a natural gas, combined cycle power plant, with an expected summer peak rating of about 1,622 megawatts (MW), at a greenfield site in northeast Okeechobee County owned by FPL. According to FPL’s petition, the Okeechobee Clean Energy Center Unit 1 will enable FPL to meet a projected need for additional generation resources that begins in 2019, continues into 2020, and increases each year thereafter.

PREHEARING CONFERENCE

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

2:00 p.m., Tuesday, November 17, 2015  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

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The purpose of this prehearing conference is: (1) to define and limit, if possible, the issues; (2) to identify the positions of the parties 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; (5) to identify any exhibits that may be offered at the hearing; (6) to establish the order of any witnesses testifying at the hearing; and (7) to consider any other such matters that may aid in the disposition of this proceeding.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by Sections 366.04 and 403.519, F.S. and Rules 25-22.080 and 25-22.081 F.A.C.

Copies of FPL's petition for determination of need and supporting testimony and exhibits are available for public inspection online on the Commission's website ([www.floridapsc.com](http://www.floridapsc.com)) or during normal business hours at the following location:

Florida Public Service Commission  
Office of Commission Clerk  
2540 Shumard Oak Blvd.  
Tallahassee, Florida

EMERGENCY CANCELLATION OF PROCEEDINGS

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

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five (5) days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service.

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By DIRECTION of the Florida Public Service Commission this 23rd day of October,  
2015.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

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

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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