

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF COMMISSION HEARING AND PREHEARING

TO

PARTIES OF RECORD

AND

ALL OTHER INTERESTED PERSONS

DOCKET NOS. 20170266-EC, 20170267-EC

PETITION TO DETERMINE NEED FOR SEMINOLE COMBINED CYCLE FACILITY, BY SEMINOLE ELECTRIC COOPERATIVE, INC. AND JOINT PETITION FOR DETERMINATION OF NEED FOR SHADY HILLS COMBINED CYCLE FACILITY IN PASCO COUNTY, BY SEMINOLE ELECTRIC COOPERATIVE, INC. AND SHADY HILLS ENERGY CENTER, LLC.

ISSUED: February 9, 2018

NOTICE OF COMMISSION HEARING AND PREHEARING

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission regarding the above referenced dockets at the following time and place:

HEARING

Wednesday, March 21, 2018 at 9:30 a.m. through Thursday March 22, 2018
Hearing Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Additional days will be allocated for continuation of the hearing if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

PREHEARING CONFERENCE

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

Monday, March 12, 2018 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; (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 matters that may aid in the disposition of this case.

PURPOSE AND PROCEDURE:

The purpose of this hearing is for the Commission to consider and take final action regarding the petition of Seminole Electric Cooperative, Inc. (Seminole) and the joint petition of Seminole and Shady Hills Energy Center, LLC (SHEC) for a determination of need for the proposed Seminole combined cycle facility and the proposed Shady Hills combined cycle facility, pursuant to Section 403.519, Florida Statutes (F.S.).

The proceeding shall: (1) allow Seminole and SHEC to present evidence and testimony in support of their positions; (2) permit intervenors to present testimony and exhibits concerning Seminole's petition and Seminole and SHEC's joint 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. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

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 Seminole and SHEC combined cycle facilities. In making its determination, the Commission shall take into account: (1) the need for electric system reliability and integrity; (2) the need for adequate electricity at a reasonable cost; (3) the need for fuel diversity and supply reliability (4)

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whether the construction of the proposed Seminole combined cycle facility and the proposed Shady Hills combined cycle facility are the most cost-effective alternative available; and (5) whether renewable energy sources and technologies or conservation measures taken by, or reasonably available to, Seminole and SHEC exist that might mitigate the need for the construction of the proposed combined cycle facilities. The Commission may also consider other matters within its jurisdiction it deems relevant.

The Commission's determination of need for the proposed Seminole combined cycle facility and Shady Hills combined cycle facility 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 matters related to the need for the Seminole combined cycle facility proposed by Seminole and the Shady Hills combined cycle facility proposed by Seminole and SHEC will be heard at the March 21-22, 2018 hearing. Separate public hearings may be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed combined cycle facilities, as required by the "Power Plant Siting Act," Sections 403.501-403.518, 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 Seminole combined cycle facility and Shady Hills combined cycle facility. Any member of the public who wishes to offer testimony at the hearing should be present at the beginning of the hearing on March 21, 2018, at 9:30 a.m. 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. To become an official party of record, you must file a Petition for Intervention at least twenty (20) days before the final hearing, pursuant to the requirements contained in Rule 28-106.205, F.A.C. A Petition for Intervention must conform to Rule 28-106.205, 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 Seminole combined cycle facility and the proposed Shady Hills combined cycle facility may be filed with the Commission Clerk electronically on the "Clerk's Office" tab of the Commission's website (www.floridapsc.com) or by U.S. Mail at:

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Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
RE: Docket Nos. 20170266-EC and 20170267-EC

GENERAL LOCATION AND PROJECT DESCRIPTION

In the first petition, filed in Docket No. 20170266-EC, Seminole proposes to construct a 1,050 megawatt (net-nominal) two-on-one (“2x1”) natural gas-fired combined cycle electric generating unit adjacent to Seminole’s existing power plant in Putman County, Florida. In the second petition, filed in Docket No. 20170267-EC, Seminole and SHEC propose to construct a new 573 megawatt (net-nominal) combined cycle generating facility located adjacent to the site of the existing Shady Hills power plant in Pasco County, Florida.

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. This hearing will be governed by said Sections as well as Chapter 120, F.S., and Chapters 25-22 and 28-106, F.A.C.

Copies of Seminole’s petition and Seminole and SHEC’s joint petition for determination of need and supporting testimony and exhibits are available for public inspection online on the Commission’s website (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.

AMERICANS WITH DISABILITIES ACT

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** days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or 850-413-6770 (Florida Relay Service, 1-800-955-8770 Voice or 1-800-955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

By DIRECTION of the Florida Public Service Commission this 9th day of February, 2018.

By: 

Hong Wang
Chief Deputy Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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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