

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF COMMISSION HEARING AND PREHEARING

TO

FLORIDA POWER & LIGHT COMPANY

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 070602-EI

PETITION FOR DETERMINATION OF NEED FOR EXPANSION OF TURKEY POINT AND ST. LUCIE NUCLEAR POWER PLANTS, FOR EXEMPTION FROM BID RULE 25-22.082, F.A.C, AND FOR COST RECOVERY THROUGH THE COMMISSION'S NUCLEAR POWER PLANT COST RECOVERY RULE, RULE 25-6.0423.

ISSUED: October 17, 2007

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 Power & Light Company (FPL) for determination of need for expansion of nuclear power plants, at the following time and place:

Monday – Thursday, December 10-13, 2007, 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, for FPL's proposed expansion of its existing nuclear power plants in St. Lucie and Dade Counties, Florida. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its proposed nuclear power plants; (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, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 25-106, Florida Administrative Code.

Under Section 403.519, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed nuclear power plants. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, the need for fuel diversity and supply reliability, and whether the proposed plant expansions are 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 FPL which might mitigate the need for the proposed expansion of the plants. The Commission may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plants 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, Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed expansion of the power plants 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 plants 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 plants. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, December 10, 2007. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony. By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Director of the Commission's Division of the Commission Clerk and Administrative Services at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in these proceedings, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106.106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the 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.

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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:

Blanca S. Bayó, Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Re: Docket No. 070602-EI

GENERAL LOCATION AND PROJECT DESCRIPTION

FPL's proposal consists of the expansion of the electric generating capacity of its existing Turkey Point and St. Lucie nuclear power plants, in Dade and St. Lucie Counties, respectively. FPL's proposed uprate would increase the power output at Turkey Point, units 3 and 4, from approximately 700 megawatts (MW) to 804 MW per unit, for a two-unit total of about 208 MW. At St. Lucie, units 1 and 2, net electrical generation per unit is expected to increase from approximately 840 MW to 943 MW, for a two-unit total of 206 MW. FPL proposes to complete the uprate to all four nuclear units during separate outages beginning in 2011 and ending in 2012.

PREHEARING CONFERENCE

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

Monday, December 3, 2007, at 3:00 p.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 FPL's petition for determination of need and supporting exhibits is available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
4075 Esplanade Way
Room 110 - Betty Easley Conference Center
Tallahassee, Florida

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 17th day of October, 2007.



ANN COLE
Commission Clerk

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JSB