

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

TO

FLORIDA POWER & LIGHT COMPANY

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 080203-EI

PETITION TO DETERMINE NEED FOR WEST COUNTY ENERGY CENTER UNIT 3
ELECTRICAL POWER PLANT, BY FLORIDA POWER & LIGHT COMPANY.

DOCKET NO. 080245-EI

PETITION FOR DETERMINATION OF NEED FOR CONVERSION OF RIVIERA PLANT
IN PALM BEACH COUNTY, BY FLORIDA POWER & LIGHT COMPANY.

AND

DOCKET NO. 080246-EI

PETITION FOR DETERMINATION OF NEED FOR CONVERSION OF
CAPE CANAVERAL PLANT IN BREVARD COUNTY
BY FLORIDA POWER & LIGHT COMPANY.

ISSUED: May 27, 2008

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above dockets regarding the petitions of Florida Power & Light Company (FPL) for a determination of need for West County Energy Center Unit 3 (WCEC 3) electrical power plant and for a determination of need for conversions of the Riviera power plant in Palm Beach County and the Cape Canaveral power plant in Brevard County, at the following time and place:

Monday - Tuesday, June 23 - 24, 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

DOCUMENT NUMBER-DATE

04435 MAY 27 8

FPSC-COMMISSION CLERK

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 FPL's proposed electrical power plant in Palm Beach County, Florida and for the conversions of the Riviera power plant in Palm Beach County, Florida and the Cape Canaveral power plant in Brevard County, Florida. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petitions for a determination of need for the proposed electrical power plants; (2) permit any intervenors to present testimony and exhibits concerning these matters; (3) permit members of the public who are not parties to these need determination proceedings the opportunity to present testimony concerning these matters; and (4) allow for such other purposes as the Commission may deem appropriate.

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 plants. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for fuel diversity, the need for base-load generating capacity, the need for adequate electricity at a reasonable cost, and whether the proposed plants will provide the most cost-effective source of power. 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 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, 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 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 these need determination proceedings 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, June 23, 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 these proceedings. Anyone wishing to become a party to these need determination proceedings 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 these proceedings 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 plant at the West County Energy Center, the conversions of the Riviera power plant in Palm Beach County and the Cape Canaveral power plant in Brevard County, 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. 080203-EI, Docket No. 080245-EI and Docket No. 080246-EI

GENERAL LOCATION AND PROJECT DESCRIPTIONS

FPL proposes the construction of one additional combined cycle generating unit at FPL's existing West County Energy Center electrical power plant site, together with the associated facilities, including transmission line and substation facilities, needed to integrate, interconnect and transmit energy from the West County Energy Center site to FPL's transmission network for delivery to customers. WCEC 3 will be a combined cycle unit with a summer capacity rating of 1,219 MW and a commercial operation date of June 1, 2011. WCEC 3 will be the third unit at the West County Energy Center, located in Palm Beach County, Florida. The unit's primary fuel will be natural gas, and it will have the capability to use light oil as backup fuel.

FPL proposes the conversion of the Riviera power plant, involving installation of a combined cycle power plant with a summer capacity rating of 1,219 MW and a commercial operation date of June 1, 2014. The Riviera Conversion will replace two operating 280 MW dual-fuel fired steam generating units that entered service in the 1960s and are located at FPL's

Riviera plant in Palm Beach County, Florida. The converted plant's primary fuel will be natural gas, and it will have the capability to use light oil as backup fuel.

FPL also proposes the conversion of the Cape Canaveral power plant, involving installation of a combined cycle power plant with a summer capacity rating of 1,219 MW and a commercial operation date of June 1, 2013. The Cape Canaveral Conversion will replace two operating 400 MW dual-fuel fired steam generating units that entered service in the 1960s and are located at FPL's Cape Canaveral plant in Brevard County, Florida. The converted plant's primary fuel will be natural gas, and it will have the capability to use light oil as backup fuel.

PREHEARING CONFERENCE

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

Monday, June 9, 2008, at 1:30 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 these cases.

EMERGENCY CANCELLATION OF HEARING

If settlement of these cases 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 (<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.

Copies of FPL's petitions for determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

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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 27th day of May, 2008.



ANN COLE
Commission Clerk

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MCB