

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF COMMISSION HEARING AND PREHEARING

TO

SOLID WASTE AUTHORITY OF PALM BEACH COUNTY  
FLORIDA POWER & LIGHT COMPANY  
DANIEL R. AND ALEXANDRIA LARSON  
JAMES WOODS AND KELLY SULLIVAN WOODS

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 110018-EU

JOINT PETITION FOR MODIFICATION TO DETERMINATION OF NEED FOR  
EXPANSION OF AN EXISTING RENEWABLE ENERGY ELECTRICAL POWER PLANT  
IN PALM BEACH COUNTY BY SOLID WASTE AUTHORITY OF PALM BEACH  
COUNTY AND FLORIDA POWER & LIGHT COMPANY, AND FOR APPROVAL OF  
ASSOCIATED REGULATORY ACCOUNTING AND PURCHASED POWER AGREEMENT  
COST RECOVERY.

ISSUED: March 23, 2011

NOTICE is hereby given that the Florida Public Service Commission will hold a public hearing in the above referenced docket.

The hearing will be held at the following time and place:

9:30 a.m., Monday, April 25, 2011  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

PURPOSE:

The purpose of this hearing is for the Commission to consider the joint petition of the Solid Waste Authority of Palm Beach County and Florida Power & Light Company and to (1) take final action to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for

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FPSC-COMMISSION CLERK

the Solid Waste Authority of Palm Beach County's (SWA) expansion of its existing renewable energy electrical power plant located at its solid waste process and disposal site in Palm Beach County; (2) approve a purchase power contract between SWA and Florida Power & Light Company (FPL) and approve advanced funding for SWA and associated regulatory accounting and cost recovery treatment for FPL (cost recovery issues); and (3) to 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. This proceeding shall: (1) allow SWA and FPL to present evidence and testimony in support of their joint petition for a determination of need for the proposed renewable energy electrical power plant and approval of the purchase power contract and associated cost recovery issues; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the proceeding the opportunity to present testimony concerning this matter; 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., Sections 377.709 and 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 expanded 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 expansion 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 FPL which might mitigate the need for the expansion. The Commission may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plant expansion 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 expansion, approval of the purchase power contract, and associated cost recovery issues will be heard at this hearing. Separate public hearings may be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant expansion 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 expansion,

approval of the purchase power contract, and associated cost recovery issues. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, April 25, 2011. 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, approval of the purchase power contract, and associated cost recovery issues 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. 110018-EU

#### GENERAL LOCATION AND PROJECT DESCRIPTION

SWA proposes to expand its existing municipal solid waste (MSW) to energy facility by approximately 93 megawatts (MW) through the addition of three incinerator/steam boiler trains with one steam turbine-generator set. The expanded facility will utilize a mass-burn combustion process in which MSW is incinerated in specifically designed boilers to produce high pressure steam suitable for producing electricity via conventional steam turbine generators. The expanded facility will be capable of generating a gross maximum 168 MW. The proposed expanded facility will be wholly owned by SWA and will be in-service no later than the year 2015. All of the generation capacity from the expanded unit will be committed to FPL for retail sale to its customers.

PREHEARING CONFERENCE

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

1:30-3:30 p.m., Monday, April 18, 2011  
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.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by Sections 377.709 and 403.519, Florida Statutes.

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.

A copy of SWA and FPL's joint petition 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 23rd day of March, 2011.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

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