

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

ORIGINAL
FILE COPY

Case No

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida, that the attached copy of advertisement, being a

Notice

in the matter of

Docket No. 971059-EI

in the

Court, was published in said newspaper in the issues of

September 5;

1997.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed

Nelson Kirkland
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

8th

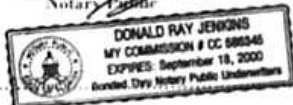
Sworn to and subscribed before me this

day of September, A.D. 1997.

(Seal)

Donald Ray Jenkins
Notary Public

My Commission Expires



Order #661069
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A659

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF NEED DETERMINATION HEARING ON PROPOSED ELECTRICAL POWER PLANT TO FLORIDA POWER CORPORATION AND ALL OTHER INTERESTED PERSONS DOCKET NO. 971059-EI

IN RE: PETITION TO DETERMINE NEED FOR EXISTING TIGER BAY ELECTRICAL POWER PLANT AND NOMINAL ELECTRICAL CAPACITY INCREASE TO THAT PLANT
FLORIDA POWER CORPORATION

ISSUED: September 8, 1997

NOTICE is hereby given that the Florida Public Service Commission will hold a public hearing in the above docket of the time and place listed. All persons who wish to be heard are urged to be present at the beginning of the hearing on Monday, October 20, 1997.

9:30 a.m., Monday, October 20, 1997
Commission Hearing Room 148
The Betty Eddy Conference Center
4075 Espanola Way
Tallahassee, Florida

Any person requiring some accommodation of the hearing or the prehearing conference because of a physical impairment should call the Dkt. Records and Reporting at (904) 633-2773 at least five calendar days prior to the hearing or prehearing conference. Any person who is hearing or is impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

PURPOSE AND PROCEDURE

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Sections 403.501-519, Florida Statute (1995), for the existing Tiger Bay power plant and related facilities located near Ft. Meade in Polk County, Florida; to permit any interested person to present testimony concerning the matter; and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to examination of the conclusion of their testimony.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapter 25-22, Florida Administrative Code.

Under Section 403.519, Florida Statutes, the Commission is the sole forum for the determination of need for the electrical power plant and associated facilities. In making a determination, the Commission must take into account the need for electric system reliability and efficiency; the need for adequate electric power; and whether the proposed plant is the most cost-effective alternative available. The Commission must also expressly consider conservation measures taken by a reasonably available Florida Power Corporation which might mitigate the need for the Tiger Bay facility and matters which the Commission deems relevant. The Commission's determination of need for the Tiger Bay facility shall create a presumption of need and necessity and shall serve as the Commission's report as required by Subsection 403.502(2) (b) (5), Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute a final agency action.

Only issues relating to the need for the power plant and its associated facilities will be heard at the October 20, 1997 hearing. Separate public hearings before the Division of Administrative Hearings to consider environmental and other impacts of the existing plant 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 plant and associated facilities. All members of the public who wish to offer testimony should be present at the beginning of the hearing. Witnesses will be sworn and will be subject to cross-examination at the conclusion of their testimony.

Written comments regarding the need for the proposed plant and associated facilities may be sent to the Commission at the following address:

Ranica S. Mayo
Director, Division of Records and Reporting
800 P.O. Box 1
2001 Raymond Oak Boulevard
Tallahassee, Florida 32309-0001
Re: Docket No. 971059-EI

Anyone wishing to become a party to the need determination proceeding should file an appropriate petition pursuant to Rule 25-22.030, Florida Administrative Code with the Director of the Commission's Division of Records and Reporting of the address listed above. 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. Costs, petition for leave to intervene, and a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 25-22.028, Florida Administrative Code, and must include objections filed with the Commission at least five (5) days before the final hearing, must conform with Commission Rule 25-22.030 (b) matter of compliance or statutory right pursuant to Commission Rule, or that the substantial interests of the intervenor are subject to determination as affected through the hearing.

GENERAL LOCATION AND PROJECT DESCRIPTION

The Tiger Bay facility is an existing 1200 MW combined cycle generating facility located near Ft. Meade in Polk County, Florida. Florida Power Corporation proposes to increase the plant capacity of the facility to greater than 70 megawatts.

PREHEARING CONFERENCE

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

1:30 p.m., Thursday, October 6, 1997
Room 148, The Betty Eddy Conference Center
4075 Espanola Way
Tallahassee, Florida

The purpose of the prehearing conference will be to consider: (1) the simplification of the issues; (2) the identification of the positions of the parties; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action.

JURISDICTION

Jurisdiction over the determination of need is vested in the Commission by Chapter 366 and Section 403.519, Florida Statutes. The proceeding will be governed by the provisions of Chapter 120, Florida Statutes, as well as Chapter 25-22, Florida Administrative Code.

APPLICATION

A copy of the Petition to Determine Need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Division of Records and Reporting
Room 148, The Betty Eddy Conference Center
4075 Espanola Way
Tallahassee, Florida

By DIRECTOR of the Florida Public Service Commission the 20 day of September, 1997.

(S E A L)

A-669-9-8, 1997

BLANCA S. MAYO, Director
Division of Records and Reporting

DOCUMENT NUMBER-DATE

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