

Hopping Green & Sams

Attorneys and Counselors

MEMORANDUM

DEPARTMENT OF
ENVIRONMENTAL PROTECTION
DEC 07 2006

SITING COORDINATION

TO: Brian Teeple
Gordon Johnston
Hamilton Oven
James Antista
Emily Norton
Kelly Martinson
Mark Scruby
Martha Carter Brown
Patrick Gilligan
Ronald Williams
Russell Castleberry
Scott Goorland
Sheauching Yu
Timothy Keyser
Vance Kidder
Wayne Smith

FROM: Doug Roberts and Jim Alves

RE: Seminole Electric Cooperative Final Hearing Prehearing Conference –
December 18, 2006 – 2 p.m.

DATE: December 06, 2006

To duplicate my previous email which I sent to each of you yesterday, the final site certification hearing for the Seminole Electric Cooperative Unit 3 power plant project is set for January 9 to 12, 2007 in Palatka. This will be the final site certification hearing on this project under the Florida Power Plant Siting Act. The ALJ has issued the attached order of prehearing instructions directing the parties to conduct a prehearing conference of counsel and to submit a joint prehearing stipulation.

Toward that end, we propose to conduct the **prehearing conference by telephone conference at 2PM on Monday Dec. 18th**. The call-in number and conference identification information is provided below. The purpose of the conference is to discuss disputed issues of law or fact, as well as to exchange exhibits and lists of witnesses, and other matters. The prehearing stipulation of the parties is due to be filed with the ALJ by Friday December 29, 2006, which is 10 days prior to the hearing.

Later this week, we will circulate a draft of a prehearing stipulation for the parties to provide their position statements and lists of exhibits and witnesses. It will also form the basis for our discussion on December 18th.

Please let me know if you plan on participating in this telephonic prehearing conference so that we may be sure all interested persons are on the call when we begin.

Call in number 888-508-8513
Conf. ID 467554#

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: SEMINOLE ELECTRIC)	
COOPERATIVE SEMINOLE GENERATING)	
STATION UNIT 3 POWER PLANT)	Case No. 06-0929EPP
SITING APPLICATION NUMBER PA)	
78-10A2.)	
_____)	

ORDER OF PRE-HEARING INSTRUCTIONS

This cause having been scheduled for the final certification hearing, it is, therefore,

ORDERED that:

1. Counsel for all parties shall meet no later than 20 days prior to the date for final hearing in this cause and shall:

- (a) Discuss the possibility of settlement;
- (b) Stipulate to as many facts and issues as possible;
- (c) Prepare the pre-hearing stipulation as required by this Order;
- (d) Examine all exhibits (except for impeachment exhibits) proposed to be offered into evidence at the hearing;
- (e) Furnish opposing counsel the names and addresses of all witnesses (except for impeachment witnesses); and
- (f) Complete all other matters which may expedite the hearing in this case.

2. Counsel for the Department of Environmental Protection shall initiate arrangements for the attorneys' conferences. However, all attorneys in this cause are charged with the duty of meeting in such conferences and of complying with the schedule set forth in this Order.

Russell D. Castleberry, Esquire
518 St. Johns Avenue
Post Office Box 758
Palatka, Florida 32178-0758

Ronald Williams
Columbia County Board of
County Commissioners
Columbia County Courthouse
Post Office Drawer 1529
Lake City, Florida 32058

Patrick Gilligan
City of Ocala
Seven East Silver Springs Boulevard, Suite 405
Ocala, Florida 34471

Lynne C. Capehart, Esquire
1601 Northwest 35th Way
Gainesville, Florida 32605

Vance W. Kidder, Esquire
St. Johns River Water Management
District
4049 Reid Street
Palatka, Florida 32177-2529