

Hopping Green & Sams

Attorneys and Counselors

Writer's Direct Dial No.: (850) 425-2376

April 12, 2016

RECEIVED

APR 12 2016

DIVISION OF AIR
RESOURCE MANAGEMENT

Via Hand Delivery

Ann Seiler
Department of Environmental Protection
Siting Coordination Office
Bob Martinez Center
2600 Blair Stone Road, MS 5500
Tallahassee, FL 32399

Re: Florida Power & Light Company Okeechobee Clean Energy Center, Power Plant
Siting Application No. PA15-58; DOAH Case No. 15-5540EPP; OGC Case No.
15-0607

Dear Ms. Seiler:

Enclosed are the Proofs of Publication for "Notice of Certification Hearing on an Application to Construct and Operate an Electrical Power Plant on a Site to be Located in Okeechobee County, Florida." These Proofs of Publication are submitted to the Siting Coordination Office on behalf of Florida Power & Light Company and pursuant to Rule 62-17.281, Florida Administrative Code. Please note that the Notice of Certification Hearing was published in the Treasure Coast Newspapers on April 7, 2016, and in the Okeechobee News and the Vero News/Sabastian River News on April 8, 2016.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Brooke E. Lewis

cc: Benjamin Melnick, Esq. (without enclosure)

TREASURE COAST NEWSPAPERS

1939 SE Federal Highway, Stuart, Florida 34994

Affidavit of Publication

TREASURE COAST NEWSPAPERS

FPL c/o C-ComGroup, Inc.
1790 Coral Way 3rd Floor
Miami FL 33145

REFERENCE: 888528
1026512 LEGAL IRC

STATE OF FLORIDA

COUNTY OF MARTIN, ST. LUCIE and INDIAN RIVER

Before the undersigned authority personally appeared and who on oath says that he/she is the Acct Adv Clerk of Treasure Coast Newspapers which publishes 3 daily newspapers in Martin Cnty: The Stuart News; St Lucie Cnty: St Lucie News Tribune: and Indian River Cnty: The Indian River Press Journal. Affiant further states that these newspapers are published daily, with offices and paid circulation in said counties, and distributed in said counties for one year preceding the first publication of the attached copy of advertisement; and affiant further states that he/she 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(s). These newspapers have been entered as second class matter at the post office of Martin, St. Lucie and Indian River counties and have been for a period of one year preceding the first publication of the attached copy of advertisement.

PUBLISHED ON:
04/07/16

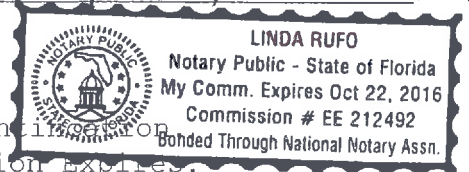
AD SPACE: 120.0 INCHES
FILED ON: 04/07/16

Sworn to and subscribed before me this day of April 7, 2016, by Monika Lepore, who is

☒ personally known to me or
☐ who has produced

Notary:

as identified on _____
My Commission Expires _____



NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN OKEECHOBEE COUNTY, FLORIDA

1. Application number PA15-58 for certification to authorize construction and operation of a 1,600 megawatt (MW) (nominal) natural gas combined cycle electrical generating facility and associated facilities was filed by Florida Power & Light Company (FPL) with the Department of Environmental Protection (FDEP) on September 25, 2015. The Project is known as the Okeechobee Clean Energy Center (Project). The Project will be located on an approximately 2,341 acre Site in northeastern Okeechobee County. The Site includes the potential for approximately 200 MW of photovoltaic solar generation in the future that would bring the net ultimate site capacity up to 1,800 MW (nominal). In addition to the on-Site electrical generating facilities and associated facilities, FPL's application also seeks certification to approve off-Site linear facilities to be located in Indian River County. These off-Site linear facilities include a transmission interconnection to connect the generating facilities to the existing transmission network within a corridor of approximately 396 feet in width and 535 feet in length, as well as improvements to an existing access roadway. The location of the Project Site and off-Site associated facilities are shown on the accompanying map. The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 15-5540EPP, prior to action by the Florida Governor and Cabinet, acting as the Siting Board, or by the FDEP Secretary, pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes (F.S.). FPL is seeking certification of the Project under the PPSA.

2. Pursuant to Section 403.508, F.S., the certification hearing is scheduled to be heard by DOAH beginning at 9:00AM, June 20, 2016 at The Holiday Inn Express and Suites, 3101 U.S. Highway 441 South, Okeechobee, Florida, and continuing to June 24, 2016, if necessary, in order to take written or oral testimony on the effects of the proposed electrical power plant or any other matter appropriate to the consideration of the Site and associated facilities.

3. When appropriate, any person may be given an opportunity to present oral or written communications to the designated Administrative Law Judge (ALJ). If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications. On Monday, June 20, 2016, from 6:00PM to 8:00PM, a public hearing where members of the public who are not a party to the certification hearing may testify will be held at The Holiday Inn Express and Suites, 3101 U.S. Highway 441 South, Okeechobee, Florida. Members of the public may address any issue related to the certification of the Project during the public testimony session. Public testimony will be taken until the last speaker, who is present has spoken. The public testimony session may therefore conclude earlier. The Public Service Commission has previously determined the need for the facility at a separate hearing and need will not be an issue at this hearing. Written comments may be sent to the ALJ at the address listed in paragraph 8 below.

4. The application for certification is available for public inspection during normal business hours at the addresses listed below:

Florida Dept. of Environmental Protection	Florida Dept. of Environmental Protection	Florida Power & Light Company	Indian River County Library	Okeechobee County Public Library
Siting Coordination Office	Southeast District Office	700 Universe Blvd.	Brackett Library	206 Southwest 16th Street
Ann Seiler	Local Coordinator: Paul Wierzbicki	Juno Beach, FL 33408	IRSC Mueller Campus	Okeechobee, FL 34974
2600 Blair Stone Road, MS 5500	3301 Gun Club Road	(561-691-2820)	6155 College Lane	(863-763-3536)
Tallahassee, FL 32399	West Palm Beach, FL 33406	Contact: Agnes S. Ramsey	Vero Beach, FL 32966	
(850-717-9113)	(561-681-6600)		(772-770-5060)	
http://www.dep.state.fl.us/siting/apps.htm				

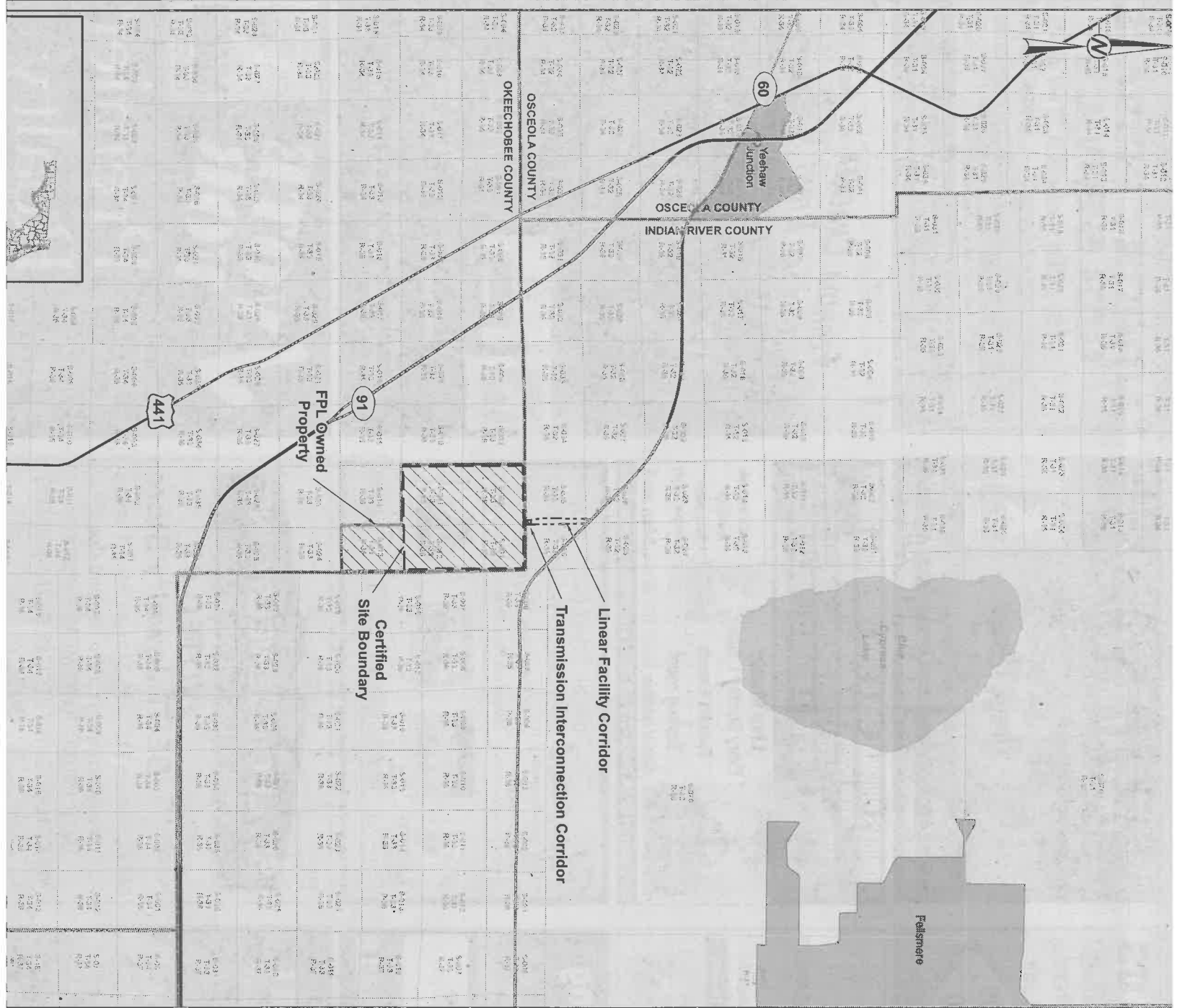
5. FDEP will prepare a Project Analysis Report on the Project. Under the current Project schedule, that Project Analysis Report will be available on May 6, 2016. A copy of the Project Analysis Report will be available at: <http://www.dep.state.fl.us/siting/apps.htm> or by contacting Ann Seiler at the FDEP's Office of Siting Coordination, 2600 Blair Stone Road, MS 5500, Tallahassee, FL 32399, (850) 717-9113.

6. At least five days prior to the hearing, each party shall make any written direct testimony the party intends to submit at the hearing available for public inspection at the libraries listed in paragraph 4 above.

7. (a) Any person wishing to participate in the proceedings, either as a party or without party status, must follow either Section 403.508(3) or (4)(b), F.S.

(b) Upon the filing with the ALJ of a notice of intent to be a party no later than 75 days after the Application is filed, the following shall also be parties to the proceeding:

1. Any agency listed in Section 403.508(3)(a), F.S.
2. Any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction.
3. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.
- (c) Other parties may include any person, including those persons enumerated in paragraph 7(b)3 above, who have failed to timely file a notice of intent to be a party, whose substantial

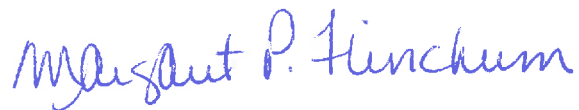


MENT DOES NOT MATCH WHAT IS SHOWN. THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI A

9. Pursuant to Section 403.508(6), F.S., the certification hearing may be cancelled if, within 29 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the FDEP or the applicant requests that the ALJ cancel the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.509(1)(a), F.S.
10. Certification of this power plant would allow construction and operation of a new source of air pollution which would consume an increment of air quality resources.
11. The department's review has separately resulted in an assessment of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emission of air pollutants from this source. The certification hearing may be consolidated with any proceeding relating to the Department of Environmental Protection's preliminary determination for granting a federally required new source review, PSD, or Air Operation Permit.
12. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as specified in 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Coastal Program Administrator, Department of Environmental Protection, 3900 Commonwealth Boulevard, M.S. 47, Tallahassee, Florida 32399-3000.
13. FPL intends to use, connect to, or cross over properties or works of the Florida Department of Transportation. Pursuant to Section 403.511(3), FPL will separately obtain any approvals required under the Florida Transportation Code.
14. Pursuant to Section 403.511(2), F.S., FPL seeks a variance or other regulatory relief from Sections 8.8 and 8.9 of the Environmental Resource Permit. Applicant's Handbook Volume II for use within the geographic limits of the St. Johns River Water Management District (incorporated by reference in Rule 62-330.010, Florida Administrative Code) and Sections 7.06.05(A)(5) and 7.06.05(B)(9), Okeechobee County Land Development

RE: Application number PA15-58

I hereby confirm that the Notice of Certification Hearing on an Application to Construct and Operate an Electrical Power Plant on a Site to be Located in Okeechobee County, Florida ran in the April 8, 2016 issue of *VeroNews/Sebastian River News*.



Margaret P. Flinchum

Accounting Office

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN OKEECHOBEE COUNTY, FLORIDA

1. Application number PA15-58 for certification to authorize construction and operation of a 1,600 megawatt (MW) (nominal) natural gas combined cycle electrical generating facility and associated facilities was filed by Florida Power & Light Company (FPL) with the Department of Environmental Protection (FDEP) on September 25, 2015. The Project is known as the Okeechobee Clean Energy Center (Project). The Project will be located on an approximately 2,341 acre Site in northeastern Okeechobee County. The Site includes the potential for approximately 200 MW of photovoltaic solar generation in the future that would bring the net ultimate site capacity up to 1,800 MW (nominal). In addition to the on-Site electrical generating facilities and associated facilities, FPL's application also seeks certification to approve off-Site linear facilities to be located in Indian River County. These off-Site linear facilities include a transmission interconnection to connect the generating facilities to the existing transmission network within a corridor of approximately 396 feet in width and 535 feet in length, as well as improvements to an existing access roadway. The location of the Project Site and off-Site associated facilities are shown on the accompanying map. The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 15-5540EPP, prior to action by the Florida Governor and Cabinet, acting as the Siting Board, or by the FDEP Secretary, pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes (F.S.). FPL is seeking certification of the Project under the PPSA.

2. Pursuant to Section 403.508, F.S., the certification hearing is scheduled to be heard by DOAH beginning at 9:00AM, June 20, 2016 at The Holiday Inn Express and Suites, 3101 U.S. Highway 441 South, Okeechobee, Florida, and continuing to June 24, 2016, if necessary, in order to take written or oral testimony on the effects of the proposed electrical power plant or any other matter appropriate to the consideration of the Site and associated facilities.

3. When appropriate, any person may be given an opportunity to present oral or written communications to the designated Administrative Law Judge (ALJ). If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications. On Monday, June 20, 2016, from 6:00PM to 8:00PM, a public hearing where members of the public who are not a party to the certification hearing may testify will be held at The Holiday Inn Express and Suites, 3101 U.S. Highway 441 South, Okeechobee, Florida. Members of the public may address any issue related to the certification of the Project during the public testimony session. Public testimony will be taken until the last speaker who is present has spoken. The public testimony session may therefore conclude earlier. The Public Service Commission has previously determined the need for the facility at a separate hearing and need will not be an issue at this hearing. Written comments may be sent to the ALJ at the address listed in paragraph 8 below.

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http://www.dep.state.fl.us/siting/apps.htm			
Okeechobee County Public Library			
206 Southwest 16th Street			
Okeechobee, FL 34974			
(863-763-3536)			

5. FDEP will prepare a Project Analysis Report on the Project. Under the current Project schedule, that Project Analysis Report will be available on May 6, 2016. A copy of the Project Analysis Report will be available at: <http://www.dep.state.fl.us/siting/apps.htm> or by contacting Ann Seiler at the FDEP's Office of Siting Coordination, 2600 Blair Stone Road, MS 5500, Tallahassee, FL 32399, (850) 717-9113.

6. At least five days prior to the hearing, each party shall make any written direct testimony the party intends to submit at the hearing available for public inspection at the libraries listed in paragraph 4 above.

7. (a) Any person wishing to participate in the proceedings, either as a party or without party status, must follow either Section 403.508(3) or (4)(b), F.S.
- (b) Upon the filing with the ALJ of a notice of intent to be a party no later than 75 days after the Application is filed, the following shall also be parties to the proceeding:
1. Any agency listed in Section 403.508(3)(a), F.S.
 2. Any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction.
 3. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.
- (c) Other parties may include any person, including those persons enumerated in paragraph 7(b)3 above, who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable administrative rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated ALJ and upon such conditions as he may prescribe any time prior to 30 days before the commencement of the certification hearing on June 20, 2016.

8. Any notice of intent to be a party, motion to intervene, or other pleading must be sent to:
- Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number (PA15-58); the DOAH case number (DOAH Case No. 15-5540-EPP); the name, address and telephone number of the person filing the motion; and allegations sufficient to demonstrate that the person is entitled to participate in the hearing. The notice of intent, motion to intervene or other pleading must also be sent by mail to the applicant and to all parties. (A list of parties may be obtained from FDEP's Office of Siting Coordination at the address and phone number in paragraph 4 above.) 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 qualified to appear in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28-106.106, Florida Administrative Code (F.A.C.). If a party is represented by an attorney, any notice of intent, motion to intervene, or other pleading should be filed electronically with DOAH using the DOAH efilng system.

9. Pursuant to Section 403.508(6), F.S., the certification hearing may be cancelled if, within 29 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the FDEP or the applicant requests that the ALJ cancel the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.509(1)(a), F.S.

10. Certification of this power plant would allow construction and operation of a new source of air pollution which would consume an increment of air quality resources.

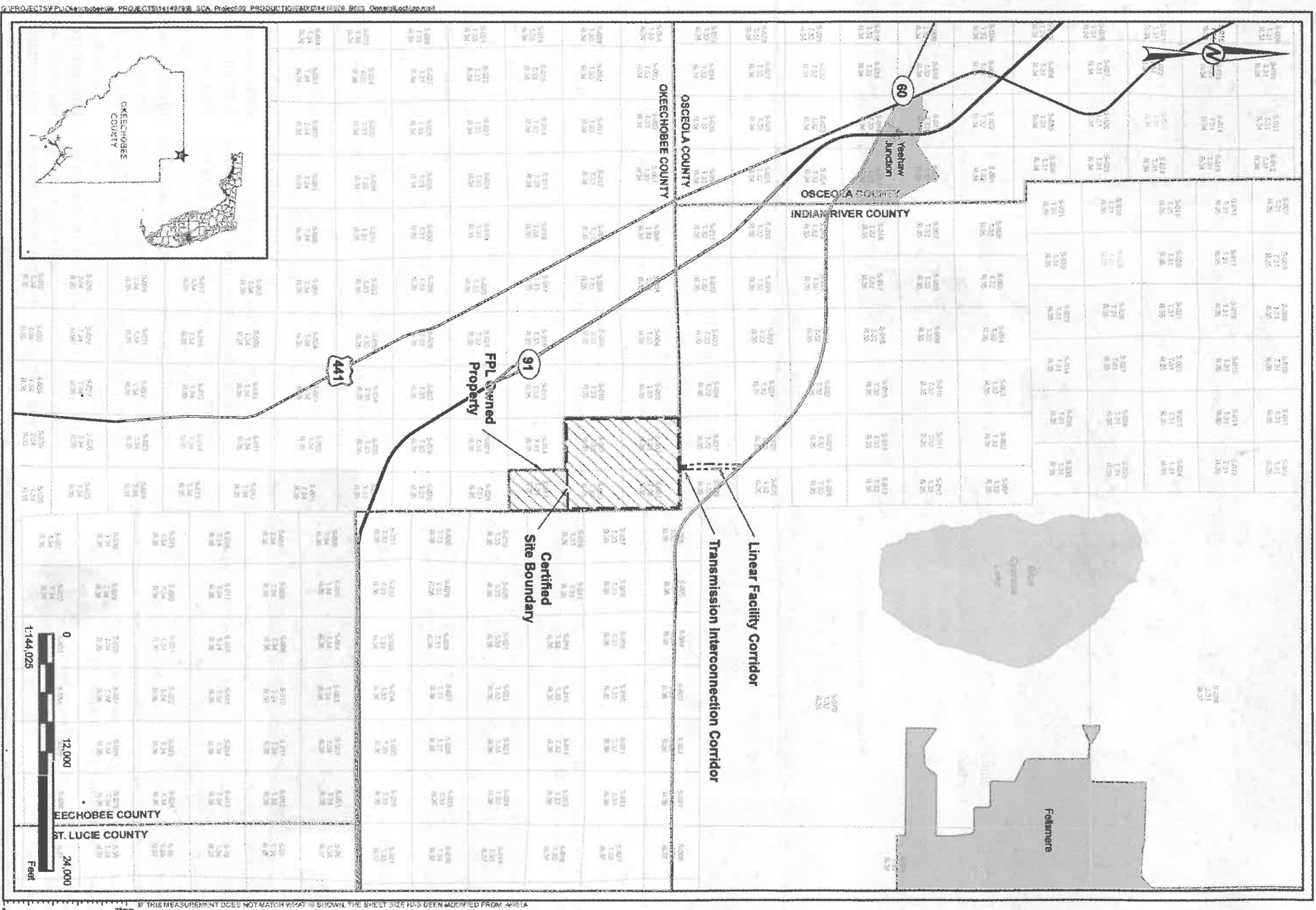
11. The department's review has separately resulted in an assessment of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emission of air pollutants from this source. The certification hearing may be consolidated with any proceeding relating to the Department of Environmental Protection's preliminary determination for granting a federally required new source review, PSD, or Air Operation Permit.

12. This public notice is also provided in compliance with the Federal Coastal Zone Management Act as specified in 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Coastal Program Administrator, Department of Environmental Protection, 3900 Commonwealth Boulevard, M.S. 47, Tallahassee, Florida 32399-3000.

13. FPL intends to use, connect to, or cross over properties or works of the Florida Department of Transportation. Pursuant to Section 403.511(3), FPL will separately obtain any approvals required under the Florida Transportation Code.

14. Pursuant to Section 403.31(12), F.S., FPL seeks a variance or other regulatory relief from Sections 8.8 and 8.9 of the Environmental Resource Permit Applicant's Handbook Volume II for use within the geographic limits of the St. Johns River Water Management District (incorporated by reference in Rule 62-330.010, Florida Administrative Code) and Sections 7.06.05(A)(5) and 7.06.05(B)(9), Okeechobee County Land Development Regulations, for the purpose of construction of the stormwater management system.

If you have any questions or comments related to the Okeechobee Clean Energy Center, please submit those via email to FPL@AffordableCleanEnergy.com. Current Project information can also be found on FPL's website located at <https://www.FPL.com/AffordableCleanEnergy>



INDEPENDENT NEWSMEDIA INC. USA

Okeechobee News
107 SW 17th Street, Suite D
Okeechobee, Florida 34974
863-763-3134

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

Before the undersigned authority personally appeared Katrina
Elsken, who on oath says she is the Publisher of the Okeechobee
News, a three times a week Newspaper published at Okeechobee,
in Okeechobee County, Florida, that the attached copy of
advertisement being a public notice

in the matter of Certification

in the 19th Judicial District of the Circuit Court of Okeechobee
County, Florida, was published in said newspaper in the issues of

4/8/16

Affiant further says that the said Okeechobee News is a
newspaper published at Okeechobee, in said Okeechobee County,
Florida, and that said newspaper has heretofore been published
continuously in said Okeechobee County, Florida each week and
has been entered as second class mail matter at the post office in
Okeechobee, in said Okeechobee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of advertisement, and affiant further says that she 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.

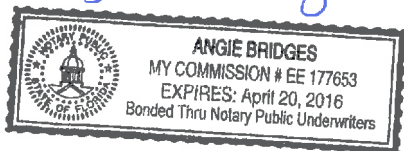
Katrina Elsken

Katrina Elsken

Sworn to and subscribed before me this
8th day of April 2016 AD

Notary Public, State of Florida at Large

Angie Bridges



NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN OKEECHOBEE COUNTY, FLORIDA

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Florida Dept. of Environmental Protection
Southeast District Office

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West Palm Beach, FL 33406
(561-661-6600)

Florida Power & Light Company
700 Universe Blvd.

Juno Beach, FL 33408
(561-691-2820)
Contact: Agnes S. Ramsey

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Brackett Library

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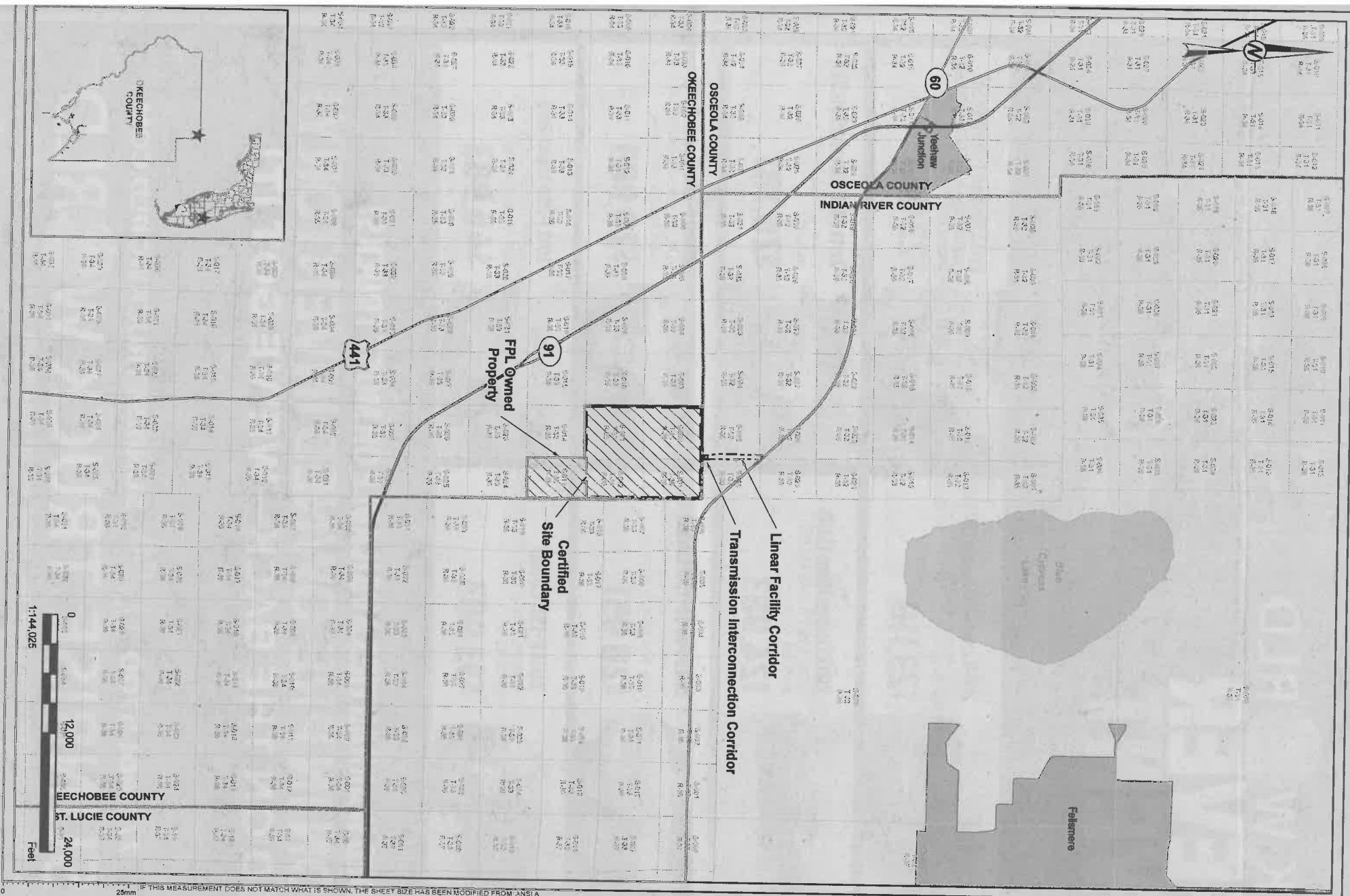
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Administrative Law Judge
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The DeSoto Building
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Tallahassee, Florida 32399-3060

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12. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as specified in 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Coastal Program Administrator, Department of Environmental Protection, 3900 Commonwealth Boulevard, M.S. 47, Tallahassee, Florida 32399-3000.

13. FPL intends to use, connect to, or cross over properties or works of the Florida Department of Transportation. Pursuant to Section 403.511(3), FPL will separately obtain any approvals required under the Florida Transportation Code.

14. Pursuant to Section 403.511(2), F.S., FPL seeks a variance or other regulatory relief from Sections 8.8 and 8.9 of the Environmental Resource Permit Applicant's Handbook Volume II for use within the geographic limits of the St. Johns River Water Management District (incorporated by reference in Rule 62-330.010, Florida Administrative Code) and Sections 7.06.05(A)(5) and 7.06.05(B)(9), Okeechobee County Land Development Regulations, for the purpose of construction of the stormwater management system.

If you have any questions or comments related to the Okeechobee Clean Energy Center, please submit those via email to FPL at AffordableCleanEnergy@FPL.com. Current Project information can also be found on FPL's website located at <https://www.FPL.com/AffordableCleanEnergy>