

NOTICE OF FILING CERTIFICATION APPLICATION
FOR ELECTRIC TRANSMISSION LINE CORRIDOR
TO BE LOCATED IN ORANGE AND OSCEOLA COUNTIES

ST. CLOUD EAST -- MAGNOLIA RANCH NORTH 230 KV TRANSMISSION LINE

The Orlando Utilities Commission (OUC) filed an application (Application No. TA21-18) with the Florida Department of Environmental Protection for approval (certification) of a new 230 kilovolt (kV) electrical transmission line that will extend from the existing St. Cloud East Substation in Osceola County to the existing Magnolia Ranch North Substation in Orange County. OUC's proposed transmission line corridor passes through portions of Orange County and Osceola County (see the map). In its application, OUC is requesting certification authorizing the location of an electrical transmission line corridor, and the construction, operation and maintenance of a 230 kV electrical transmission line, and the maintenance of the transmission line right-of-way from the St. Cloud East Substation to the Magnolia Ranch North Substation.

OUC's application was received by the Florida Department of Environmental Protection on June 11, 2021. OUC's application is pending before an administrative law judge at the Division of Administrative Hearings (DOAH), in DOAH Case No. 21-001939, prior to action by the Governor and Cabinet (sitting as the Siting Board) or the Secretary of the Department of Environmental Protection, pursuant to the Florida Electric Transmission Line Siting Act, Sections 403.52 – 403.5365, Florida Statutes (F.S.). Unless the administrative law judge cancels the certification hearing pursuant to Section 403.527(6), F.S., based on a stipulation of the parties to the proceeding that there are no disputed issues of material fact or law, a certification hearing will be conducted by the administrative law judge pursuant to Sections 120.569 and 120.57, F.S., at a central location in proximity to the proposed corridor. Notice of the date and location of the certification hearing will be published in this newspaper at least 65 days before the date set for the hearing.

State agencies, water management districts, a regional planning council, and local governments will be reviewing the application and preparing reports regarding compliance of the proposal with applicable laws, and any needed conditions of certification to assure such compliance. It is recommended that all interested individuals review the application and bring matters of concern to the appropriate agency's attention as soon as possible. Information regarding the appropriate contact persons in the agencies may be obtained from the Department of Environmental Protection's Siting Coordination Office at the address provided below. The application for certification contains a more detailed description of OUC's proposed transmission line corridor and project. The application can be reviewed on the internet by going to the website for the Florida Department of Environmental Protection's Office of Siting Coordination (<https://floridadep.gov/Air/Siting-Coordination-Office>) and clicking on the link for "Applications in Process." The application also is available for public inspection during normal business hours at the following locations:

Florida Department of Environmental Protection Office of Siting Coordination 2600 Blairstone Road, MS 5500 Tallahassee, FL 32399-2400 Contact: Ann Seiler or Nate Senn Telephone: (850) 717-9000	Florida Department of Environmental Protection Central District Office 3319 McGuire Boulevard, Suite 232 Orlando, FL 32803-3767 Contact: Cindy Stafford, Central District Siting Liaison Telephone: (407) 897-4100 Email: Cindy.stafford@floridadep.gov	Orlando Utilities Commission 6003 Pershing Avenue Orlando, FL 32822 Contact: Charles H. Easterling, PE Telephone: (407) 434-2800 Email: ResiliencyConnection@ouc.com Website: OUC.com/resiliencyconnection	Orange County Library System - Repository Orlando Public Library 101 East Central Boulevard Orlando, FL 32801 Customer Service: (407) 835-7323 E-mail: referencecentral@ocls.info	Osceola County - Repository Hart Memorial Central Library 211 East Dakin Avenue Kissimmee, FL 34741 Customer Service: (407) 742-8888 E-mail: thelibrary@osceolalibrary.org chat with us online at osceolalibrary.org
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Consideration may be given in this proceeding to corridor alternates to the corridor preferred by OUC. Persons other than the applicant may propose alternate corridors for portions of or all of the corridor proposed by OUC. To propose an alternate corridor, such persons must request to become a party to the proceeding, and then must file a notice of proposed alternate corridor pursuant to Section 403.5271(1), F.S., with the administrative law judge, all parties, and any local governments in the jurisdiction of which the alternate is proposed, no later than 45 days prior to the originally scheduled certification hearing. The filing must include the most recent United States Geological Survey 1:24,000 quadrangle maps with the alternate corridor boundaries specifically delineated on it, a description of the proposed alternate corridor, and a statement of the reasons the proposed alternate should be certified. Each party proposing an alternate corridor shall have the burden to provide the data necessary for the agencies listed in Section 403.526, F.S., to prepare a supplementary report, to provide public notice in accordance with Section 403.5363(2), F.S., and the burden of proof on the certifiability of the alternate corridor at the certification hearing. See Section 403.5271, F.S., and Rule 62-17.543, Florida Administrative Code (F.A.C.) for further information and requirements. <https://floridadep.gov/air/siting-coordination-office/content/rules-and-statutes>

Pursuant to Section 403.531, F.S., certification shall constitute the sole license of the state and any agency as to the approval of the location of the transmission line corridor and the construction, operation, and maintenance of the transmission line, subject to the conditions of certification. The certification is valid for the life of the transmission line, if construction on, or condemnation or acquisition of, the right-of-way is commenced within 5 years after the date of certification or such later date as may be authorized in the order of certification.

The certification will authorize OUC to locate the transmission line corridor and to construct and maintain the transmission line subject only to the conditions set forth in the certification. The certification may include conditions that constitute variances and exemptions from nonprocedural standards or rules of the department or any other agency which were expressly considered during the certification review unless waived by the agency as provided in Section 403.526, F.S., and which otherwise would be applicable to the location of the proposed transmission line corridor or the construction, operation, and maintenance of the transmission line.

Issues relating to the use of, connection to or the crossing of properties and works of the Florida Department of Transportation, the South Florida Water Management District, and Orange County may be addressed in this certification proceeding.

Anyone wishing to participate in the proceeding as a party must file an appropriate petition pursuant to Rule 28-106.205, F.A.C., with the Honorable Judge E. Gary Early, Administrative Law Judge, at the Division of Administrative Hearings, DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Copies of the petition should be sent by mail to all parties. A list of parties may be obtained from the Florida Department of Environmental Protection, Siting Coordination Office, at the Tallahassee address listed above. Any person wishing to intervene in the 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, F.A.C.

Pursuant to Section 403.527(2), F.S.:

- (a) The parties to this proceeding shall be the Orlando Utilities Commission, the Florida Department of Environmental Protection, the Florida Public Service Commission, the Florida Department of Economic Opportunity, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Transportation, the South Florida Water Management District, the St. Johns River Water Management District, Orange County, and Osceola County.
- (b) Any party listed in (a), above, other than the Department of Environmental Protection and OUC, may waive its right to participate in this proceeding. If any party listed in (a), above, fails to file a notice of intent to be a party on or before the 30th day before the certification hearing, the party is deemed to have waived its right to be a party.
- (c) Notwithstanding the provisions of Chapter 120, F.S., to the contrary, upon the filing with the administrative law judge of a notice of intent to be a party by an agency, corporation, or association described in subparagraphs (1) and (2) below, or a petition for intervention by a person described in subparagraph (3) below, no later than 30 days before the date set for the certification hearing, the following shall also be parties to the proceeding:

(1) Any agency not listed in subparagraph (a) above as to matters within its jurisdiction.

(2) Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation of 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 transmission line or corridor is to be located.

(3) Any person whose substantial interests are affected and being determined by the proceeding.

(d) Any agency whose properties or works may be affected shall be made a party upon the request of the agency or any party to this proceeding.
- Persons not wishing to participate in the proceedings as a party may nevertheless offer sworn testimony during the public hearing portion of the certification hearing, if a certification hearing is needed.
- For further information about the certification process, please see: <https://floridadep.gov/air/siting-coordination-office/content/rules-and-statutes>
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