

THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

In Re: PROGRESS ENERGY FLORIDA)
LEVY NUCLEAR PROJECT)
UNITS 1 AND 2)
_____)

DOAH CASE NO. 08-2727EPP
DEP OGC CASE NO. 08-1621
PPSA No. PA08-51

FILED
DIVISION OF
ADMINISTRATIVE
HEARINGS

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**PROGRESS ENERGY FLORIDA'S
NOTICE OF AMENDMENT OF SITE CERTIFICATION APPLICATION**

The Applicant, FLORIDA POWER CORPORATION d/b/a PROGRESS ENERGY FLORIDA, INC. (PEF), hereby files its Notice of Amendment of the Site Certification Application (SCA) for the Levy Nuclear Plant Units 1 and 2, filed pursuant to the Florida Electrical Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes. PEF is amending the SCA to withdraw all of those sections of the SCA which address the proposed 13-mile rail corridor in Levy and Marion Counties, Florida. In support thereof, PEF states:

1. By this notice, PEF informs the Administrative Law Judge and the parties to this certification that PEF will not be seeking certification for the rail corridor in this proceeding. Since the submittal of the SCA, PEF has continued to study transportation options for the construction and operation of the Levy Nuclear Plant. After considering many factors, including costs and community input, PEF has determined that building the rail line is not a cost-effective option to transport construction and other materials to the Plant site.

2. PEF has determined that PEF will utilize other, previously-identified transportation methods, including truck and barge transportation, to undertake both construction and operation of the Levy Nuclear Plant. These transportation methods have been identified in the SCA. These other identified transportation methods do not constitute an amendment to the SCA.

3. Those sections of the SCA related to the rail corridor, and other references to the certification of the proposed rail corridor, are hereby withdrawn. Substitute pages of the SCA to reflect the withdrawal of the sections related to the rail corridor will be distributed to recipients of the SCA by January 9, 2009. Until the submittal of the substitute pages to the SCA, all parties and recipients of the SCA should consider the SCA to be revised for these purposes.

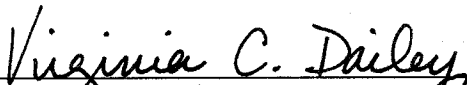
4. This amendment of the SCA does not affect or otherwise alter the schedule for review of this certification proceeding, including the scheduled date for the certification hearing.

5. All agencies and parties are advised that PEF will not present any evidence or other support for the proposed rail line during the remainder of this site certification proceeding including at the scheduled site certification hearing.

6. This amendment to the SCA to address the removal of the rail corridor does not require any further agency action on, or review, of the SCA.

Respectfully submitted this 26th day of November 2008.

FOR PROGRESS ENERGY
FLORIDA, INC.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 26th day of November, 2008:

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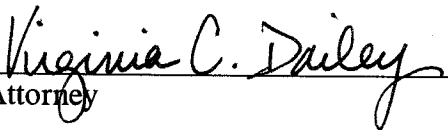
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