

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

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DIVISION OF
ADMINISTRATIVE HEARINGS

IN RE: SHADY HILLS ENERGY CENTER, LLC
COMBINED CYCLE FACILITY
POWER PLANT SITING APPLICATION
NO. PA18-59

DOAH CASE No.:
OGC CASE No.: 18-0119

18-0995EPP

**DEPARTMENT OF ENVIRONMENTAL PROTECTION'S PROPOSED SITE
CERTIFICATION APPLICATION SCHEDULE**

The State of Florida Department of Environmental Protection (Department), by and through its undersigned counsel and pursuant to Section 403.5064(4), Florida Statutes, hereby files the attached proposed site certification schedule (Exhibit A) and in support of states:

1. On February 16, 2018, Shady Hills Energy Center, LLC. (SHEC) filed a site certification application (SCA) for the Shady Hills Combined Cycle Facility under the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501-403.518, Florida Statutes.
2. Pursuant to Section 403.5064(4), Florida Statutes, within seven days after the filing of the SCA, the Department is to file a proposed schedule with the Administrative Law Judge (ALJ). The PPSA, in turn, calls for the ALJ to enter an order within seven days of the Department's filing of a proposed schedule establishing the schedule for the Project.
3. The attached schedule, Exhibit A, follows the statutory schedule for review for the SCA dictated by the PPSA.

WHEREFORE, the Department respectfully requests that the ALJ issue an order approving and adopting the attached proposed schedule for review of the site certification application for SHEC's Combined Cycle Facility.

Exhibit A: Schedule for Certification of the Shady Hills Energy Center, LLC

Day	Date	Description	Statutory Citation
Friday	February 16, 2018	SH files Site Certification Application (SCA) with the Department of Environmental Protection (DEP) and with other agencies identified in s. 403.507(2)(a), F.S., including fee required by s. 403.518, F.S.	403.5064(1)
Friday	February 23, 2018	Deadline for DEP to request an Administrative Law Judge (ALJ), file proposed schedule, and provide SH and DOAH with list of additional agencies entitled to notice	403.5065(1) 403.5064(4) 403.5064(2)
Wednesday	February 28, 2018	Deadline for SH to provide notice and copies of SCA to agencies identified by DEP.	403.5064(2)
Friday	March 2, 2018	Deadline for appointment of an ALJ.	403.5065(1)
Friday	March 2, 2018	Deadline for ALJ to issue an Order establishing the Schedule.	403.5064(4)
Friday	March 2, 2018	Deadline for DEP to file a copy of the SCA with the Division of Administrative Hearings (DOAH).	403.5065(1)
Friday	March 9, 2018	Deadline for DEP to publish Florida Administrative Register (FAR) Notice of Application Filing.	403.5064(6) 403.5115(4)(b)
Friday	March 9, 2018	Deadline for SH to publish newspaper notice of filing the Site Certification Application.	403.5064(6) 403.5115(1)(b)
Friday	March 16, 2018	Deadline for Agencies to submit completeness questions to DEP.	403.5066(1)(a)
Wednesday-Thursday	March 21-22, 2018	Need Determination Hearing Scheduled	

Day	Date	Description	Statutory Citation
Wednesday	March 28, 2018	Deadline for DEP to issue completeness Determination on the Site Certification Application (<i>Schedule assumes application incomplete</i>).	403.5066(1)(b)
Monday	April 2, 2018	Deadline for LOCAL GOVERNMENTS to issue determination(s) of land use/zoning consistency for power plant site and associated facilities that are not exempt from the requirements of land use plans and zoning ordinances under Chapter 163 and s. 380.04(3)	403.50665(2)
Monday	April 2, 2018	Deadline for SH to make Good Faith Effort to Provide Direct Notice to local landowners regarding Filing of the Application, via U.S. mail or hand-delivery.	403.5115(6)(a)
Thursday	April 12, 2018	Deadline for SH to file Position Statement regarding DEP's completeness determination (<i>Assumes SH advises it will file requested additional information</i>).	403.5066(2)
Tuesday	April 17, 2018	Deadline for SH to provide to DEP a list of those persons receiving Direct Notice of Application Filing.	403.5115(6)(b)
Friday	April 20, 2018	Deadline for Newspaper notice by LOCAL GOVERNMENT or REGIONAL PLANNING COUNCIL of Informational Public Meeting (<i>Assumes informational Public Meetings are held on deadline-date; otherwise, seven days prior to the meeting</i>).	403.50663(3) 403.5115(5)

Day	Date	Description	Statutory Citation
Friday	April 20, 2018	Deadline for Notice of Informational Public Meeting by LOCAL GOVERNMENT or REGIONAL PLANNING COUNCIL to parties <i>(Assumes Informational Public Meetings are held on deadline-date; otherwise, five days prior to the meeting).</i>	403.50663(3)
Monday	April 23, 2018	Deadline for DEP to publish FAR Notice of County's determination of land use and zoning consistency	403.5115(4)(c)
Monday	April 23, 2018	Deadline for SH to publish newspaper notice of County's determination of land use and zoning consistency	403.5115(1)(c)
Friday	April 27, 2018	Deadline for LOCAL GOVERNMENT or REGIONAL PLANNING COUNCIL to hold Informational Public Meeting (if held).	403.50663(1)
Friday	April 27, 2018	Deadline for SH to file additional information in response to DEP's 1st completeness determination <i>(assuming SCA is incomplete).</i>	403.5066(2)(b)
Wednesday	May 2, 2018	Deadline for non-listed agencies and public interest groups to file Notice of Intent to be a party.	403.508(3)(c)
Friday	May 11, 2018	Deadline for Agencies to submit recommendations regarding completeness of the SCA to DEP in response to SH's additional information.	403.5066(4)
Monday	May 14, 2018	Deadline for substantially affected person to file petition for hearing on a local government's land use determination	403.50665(4)

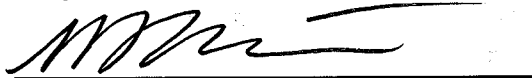
Day	Date	Description	Statutory Citation
Friday	May 18, 2018	Deadline for DEP to issue second determination on the completeness of SCA (<i>Schedule assumes DEP determines it is complete</i>).	403.5066(4)
Friday	May 18, 2018	Deadline for ALJ to Schedule hearing on land use	403.508(1)(a)
Tuesday	May 29, 2018	Deadline for SH to publish newspaper notice of land use hearing	403.508(1)(b) 403.5115(1)(d)
Tuesday	May 29, 2018	Deadline for DEP to publish FAR notice of land use hearing	403.508(1)(b) 403.5115(4)(d)
Wednesday	June 13, 2018	ALJ conducts hearing on land use consistency if petition filed	403.508(1)(a)
Wednesday	June 27, 2018	Deadline for Affected Agencies to issue Preliminary Statements of Issues.	403.507(1)
Monday	July 16, 2018	Deadline for Public Service Commission (PSC) Agency Report.	403.507(4)(a)
Wednesday	August 8, 2018	Deadline for Agencies to file Notice of Intent to be a party.	403.508(3)(b)
Friday	August 24, 2018	Deadline for Agencies to submit reports to DEP.	403.507(2)(a)
Friday	August 31, 2018	Deadline for SH to publish newspaper notice of Certification Hearing and Notice of the deadline for filing of notice of intent to be a party.	403.508(2)(b) 403.5115(1)(e)
Friday	September 21, 2018	Deadline for DEP to publish FAR Notice of Certification Hearing.	403.508(2)(b) 403.5115(4)(f)
Tuesday	September 25, 2018	Deadline for DEP to issue Project Analysis Report.	403.507(5)
Monday	October 8, 2018	Deadline for INTERVENORS to File Motions to Intervene pursuant to Ch. 120.	403.508(3)(e)

Day	Date	Description	Statutory Citation
Tuesday	October 9, 2018	<i>Earliest date for SH to file Request to Cancel Certification Hearing with ALJ if all parties Stipulate.</i>	403.508(6)(a)
Tuesday	October 16, 2018	<i>Deadline for ALJ to issue order granting or denying the request to relinquish jurisdiction based on earliest request date to cancel Hearing & Stipulation.</i>	403.508(6)(b)
Friday	October 26, 2018	<i>Deadline for parties to submit Proposed Recommended Orders to DEP if ALJ has relinquished jurisdiction.</i>	403.508(6)(d)2
Friday	November 2, 2018	<i>Deadline for DEP to have published FAR notice of cancellation of Certification hearing if ALJ has relinquished jurisdiction.</i>	403.508(6)(c) 403.5115(4)(h)
Friday	November 2, 2018	<i>Deadline for SH to publish newspaper notice of cancellation of Certification hearing if ALJ has relinquished jurisdiction.</i>	403.508(6)(c) 403.5115(1)(g)
Tuesday thru Friday	November 6 - 9, 2018	Certification Hearing before ALJ –in Pasco County. (Schedule assumes a 4-workday hearing)	403.508(2)(a)
Wednesday	November 21, 2018	<i>Deadline for DEP Secretary to issue Final Order of Certification if ALJ has relinquished jurisdiction. (Assumes ALJ relinquishes jurisdiction on the deadline.)</i>	403.508(6)(d)1 403.509(1)(a)
Friday	December 28, 2018	Deadline for ALJ to issue Recommended Order (schedule assumes hearing transcripts are filed 5 working days after the hearing concludes)	403.508(5)
Monday	February 11, 2019	Deadline for DEP to publish FAR Notice regarding the Siting Board Hearing on Site Certification	403.5115(4)(i)

Day	Date	Description	Statutory Citation
Tuesday	February 26, 2019	Anticipated date for Siting Board Hearing on Certification ¹	403.509(1)(b)

Respectfully submitted this 22 day of February 2018.

FOR STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION:



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¹ The 2019 Cabinet Agenda schedule has not been set. Date is subject to change.

SHADY HILLS ENERGY CENTER, LLC
SHADY HILLS COMBINED CYCLE FACILITY
DOAH Case No. 18-_____
COMPLETE CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of this document, via electronic mail, upon the attached service list on this 22 day of February 2018:



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