



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Siting Coordination Office

NOTICE OF RESCHEDULED CERTIFICATION HEARING DUE TO FILING OF ALTERNATE CORRIDORS FORM

NOTICE OF RESCHEDULED TRANSMISSION LINE CERTIFICATION HEARING

Pursuant to the provisions of Section 403.5271, F.S., corridors that are alternate to the one sought by [applicant's name] in the [project name] Transmission Line Certification proceedings, application number ____, Division of Administrative Hearings Case No. ____ have been submitted. In order to allow citizens and agencies to study the proposal, the certification hearing originally scheduled for ____, 2____ and noticed in this paper on ____, 2____ has been rescheduled to ____, 2____, at ____, Florida, commencing at ____m.

A public hearing where members of the public not a party to the certification hearing may testify under oath as to relevant facts and subject to cross-examination by all parties shall be held [If the time has been set for the public hearing by the administrative law judge, include here] on ____, 2____ at ____, as part of the certification hearing. [Where individual local government hearings have been requested, the public notice for the particular county shall state:] The local public hearing where members of the public not a party to the proceeding could testify has also been rescheduled to ____ 2____, at ____, Florida, commencing at ____m; citizens should be aware that the majority of the testimony and evidence of the case will be heard at the centrally located certification hearing identified above.

State agencies, water management districts, regional planning councils, and local governments have prepared a report on compliance with applicable laws and any needed conditions of certification to assure such compliance for the application as was originally proposed and shall do the same for the alternate corridor locations proposed. It is recommended that interested individuals review the information available on the alternate proposal and bring matters of concern to the appropriate agency's or the alternate proponent'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 [provide address and phone number, and case manager's name]. The information on alternates is available at the following locations:

[Here list the addresses of the main and appropriate district offices of the Department serving the area of the corridors, the general business office and appropriate local business offices (if any) of the applicant, the general business office of the alternate proponent, a public library in each county through which the corridor(s) pass, any other appropriate locations as specified by the Department, and the Department's designated internet address for this information.].

Newly affected persons wishing to participate in the proceedings as a party must file an appropriate pleading with the Division of Administrative Hearings following the procedures in Chapter 28-106, F.A.C., and Section 403.527(2), F.S., which provides that:

(1) Parties to the proceeding shall be: [list appropriate parties from 403.527(2)(a)]. Any of these parties, other than the Department of Environmental Protection and [name of applicant], may waive its right to participate in these proceedings if the listed party fails to file a notice of intent to be a party on or before the deadline date indicated below.

(2) 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 (a) and (b) below, or a petition for intervention by a person described in subparagraph (c) below, no later than the deadline date indicated below, the following shall also be parties to the proceeding:

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

(b) 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.

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

For further information about the certification process please see:

http://www.dep.state.fl.us/siting/rules_statutes.htm

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.

Any notice of intent to be a party or motion to intervene must be submitted by: [date] and sent to: Re: DOAH Case No. [insert case number], Division of Administrative Hearings, _____ [current address], Tallahassee, Florida, _____, and must contain the following: reference to the application number; the name, address, and telephone number of the agency or person; and, allegations sufficient to demonstrate the agency or person is entitled to participate in the proceeding. The notice or motion must be sent by mail to the applicant and to all parties. (A list of parties may be obtained from the Department's Siting Coordination Office at the physical address above.)

Pursuant to Section 403.527(6), F.S., the certification hearing may be cancelled if, no later than 29 days before the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the Department of Environmental Protection or the applicant requests that the administrative law judge cancel the certification hearing. If the administrative law judge grants the request, the Department of Environmental Protection shall prepare and issue a final order in accordance with Section 403.529(1)(a), F.S. The Siting Board, or the Department if the certification hearing is cancelled, may certify all or portions of one or more corridors proper for certification.

Map showing location of all corridors proper for certification