

Notice of Receipt of Transmission Line Certification Application for Electric Transmission Line to be Located in Polk, Osceola and Orange Counties: Lake Agnes-Gifford 230-kV Transmission Line

Application number TA07-16 for certification to authorize location of a transmission line corridor, construction, operation and maintenance of a 230 kilovolt (kV) electrical transmission line, commonly referred to as the Lake Agnes-Gifford 230-kV Transmission Line Project, and maintenance of the transmission line right-of-way, from Tampa Electric Company's existing Lake Agnes Substation in Polk County, Florida to Progress Energy Florida's planned Gifford Substation in Orange County, Florida was received by the Department of Environmental Protection on December 12, 2007. The case is pending before the Division of Administrative Hearings, Case No. 07-5691 TL, prior to action by the Governor and Cabinet, pursuant to the Florida Electrical Transmission Line Siting Act, Chapter 403, Part II, F.S. The corridor will pass through the following local government jurisdictions: Polk County, Osceola County, Orange County, the City of Auburndale, and Reedy Creek (within the Reedy Creek Improvement District).

A certification hearing will be held regarding this application in approximately 5 months and a notice stating the date, time and location of the hearing will be published in this newspaper at least 65 days before the date set for the certification hearing. The Administrative Law Judge will receive testimony and evidence from the parties and the public at the certification hearing. If timely requested by a local government pursuant to Section 403.527(4)(a), F.S., a public hearing where members of the public not parties to the certification proceedings may testify under oath as to relevant facts and be subject to cross examination by all parties shall be held in each county through which the corridor passes; however, the public should be aware that the majority of the testimony and evidence in the case will be heard at the centrally located certification hearing. Additionally, a local government whose jurisdiction is to be crossed by a proposed corridor may hold one informational public meeting in addition to the certification hearing and the local government hearing, if requested. The informational public meeting may be conducted by the local government or the regional planning council and must be held not later than 55 days after the application has been filed. The purpose of the informational public meeting is to inform the public about the transmission line proposed, obtain comments from the public, and formulate a recommendation with respect to the proposed transmission line.

State agencies and local governments will be studying the application and preparing testimony and evidence for the certification hearing. It is recommended that interested individuals review the application and bring matters of concern to the appropriate agency's attention as soon as possible (see below for list of participating agencies). The application for certification which more specifically depicts the corridor is available for public inspection online at www.dep.state.fl.us/siting (click on "Applications in Process") and at the following locations:

Florida Department of Environmental Protection Office of Siting Coordination Contact: Ann Seiler 2600 Blairstone Road Tallahassee, Florida 32399 Phone: (850) 245-8002	TECO Plaza Contact: Arlee Jones 702 North Franklin Street Tampa, Florida 33602 Phone: (813) 630-6217	Progress Energy Florida (Polk County) South Central Operations Center Contact: Diana Mallory 197 E Mountain Lake Cutoff Road Lake Wales, Florida 33898 Phone: (863) 678-4506	Orlando Public Library (Orange County) Contact: Debbie Moss 101 East Central Boulevard Orlando, Florida 32801 Phone: (407) 835-7323
Florida Department of Environmental Protection Southwest District Office Contact: Ted Murray 13051 North Telecom Parkway Temple Terrace, Florida 33637-0926 Phone: (813) 632-7600	Tampa Electric Company Winter Haven Operations (Polk County) Contact: Cindy Price 1770 6th Street NW Winter Haven, Florida 33881 Phone: (863) 298-6016	Progress Energy Florida (Orange County) Lake Buena Vista Operations Center Contact: Lori Peck 3250 Bonnet Creek Road Lake Buena Vista, Florida 32830 Phone: (407) 938-6639	Bartow Public Library (Polk County) Contact: Judy Moore 2150 South Broadway Avenue Bartow, Florida 33830 Phone: (863) 534-0131
Florida Department of Environmental Protection Central District Office Contact: Vivian F. Garfein 3319 McGuire Boulevard, Suite 232 Orlando, Florida 32803-3767 Phone: (407) 894-7555	Progress Energy Florida Corporate Office Contact: Janet Lebrecht Progress Energy Place 299 First Avenue North PEF 142 St. Petersburg, Florida 33701 Phone: (727) 820-5105	Hart Memorial Central Library (Osceola County) Ray Shanks Law Library Contact: Edward Kilroy 2111 East Dakin Avenue Kissimmee, Florida 34741 Phone: (407) 742-8888	Auburndale Public Library (Polk County) Contact: Kristal Homes 100 West Bridgers Avenue Auburndale, Florida 33823 Phone: (863) 965-5548

Consideration may be given in this proceeding to corridors alternate to the route preferred by Progress Energy Florida and Tampa Electric Company. The applicants may propose corridors secondary to the primary corridor in order to preserve their options, and persons other than the applicants may also propose alternate routes for portions or all of the corridor. To propose an alternate corridor, persons must request to become a party to the proceedings (see below), and then must file a notice of proposed alternate corridor with the Administrative Law Judge pursuant to Section 403.5271(1), F.S., all parties, and any local governments in the jurisdiction of which the alternate is proposed, by no later than 45 days prior to the originally scheduled date for the certification hearing. The filing must include the most recent United States Geological Survey 1:24,000 quadrangle maps specifically delineating the corridor boundaries, a description of the proposed alternate corridor, and a statement of the reasons the proposed alternate should be certified. Each party proposing any 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, 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, F.A.C., for further information and requirements.

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 set forth therein. The certification is valid for the life of the transmission line, if construction on, or combination or acquisition of, the right-of-way is commenced within five (5) years after the date of certification or such later date as may be authorized in the Order of Certification.

The certification will authorize Progress Energy Florida and Tampa Electric Company to locate the transmission line corridor and to construct and maintain the transmission line subject only to the conditions of certification set forth in the certification. The certification may include conditions that constitute variances and exemptions from nonprocedural safeguards or rules of the Department of Environmental Protection 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.

Anyone wishing to become a party to the proceedings should file an appropriate petition pursuant to Rule 28-106.205, F.A.C., with T.K. Wetherell, II, Administrative Law Judge, 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 the parties may be obtained from the Department of Environmental Protection at the Tallahassee address listed above. Those 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.

Section 403.527(2), F.S., provides:

- (a) Parties to this proceeding shall be:

1. Progress Energy Florida and Tampa Electric Company.

2. The Florida Department of Environmental Protection.

3. The Florida Public Service Commission.

4. The Florida Department of Community Affairs.

5. The Florida Fish and Wildlife Conservation Commission.

6. The Florida Department of Transportation.

7. Each Water Management District in the jurisdiction of which the proposed transmission line or corridor is to be located.

8. The local government.

9. The Regional Planning Council.

(b) Any party listed in paragraph (a), other than the Department of Environmental Protection, Progress Energy Florida or Tampa Electric Company, may waive its right to participate in these proceedings. If any party 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 unless its participation would not prejudice the rights of any party to the proceeding.

(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 paragraph (a) 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.
- If you would like to receive periodic updates related to the Lake Agnes-Gifford 230-kV Transmission Line Project, please call **888.455.0366** with your contact information, requesting placement on the Progress Energy Florida and Tampa Electric Company mailing list. Current project information can also be found on Progress Energy Florida website at <http://www.progress-energy.com/aboutenergy/transmission/florida/lakeagnes.asp> and Tampa Electric Company website located at www.tampaelectric.com/infrastructure/lakeagnes.
- The map illustrates the proposed transmission line corridor from Lake Agnes Substation in Polk County to the planned Gifford Substation in Orange County. The corridor is shown as a dashed line, with a shaded area indicating the preferred corridor. The map includes a legend with symbols for existing substations (triangle), planned substations (square), preferred corridors (dashed line), service territories (dotted line), railroads (crossed lines), major roads (solid line), and county boundaries (dashed line). The corridor passes through the Progress Energy Service Territory, Tampa Electric Company Service Territory, and Lakeland Electric Service Territory. Major roads shown include US-27, US-192, SR-33, and SR-429. The map also shows the Daniel Webster Western Beltway (SR-429) and the planned Gifford Substation. The corridor width varies from 500 feet up to 1 mile.