## 6/23/20092:42:57 PM1age 1 of 1

## **Ruth Nettles**

From:	Dana Greene [DanaG@hgslaw.com]
Sent:	Tuesday, June 23, 2009 1:55 PM
То:	Filings@psc.state.fl.us
Cc:	fself@lawfla.com; John.Butler@fpl.com; Martha Brown; Scott.Goorland@fpl.com; Jack.Leon@fpl.com; Gary Perko; Brooke Lewis
Subject:	Docket 090172

Attachments: Docket 090172 - FPL's Notice of Filing Certified Proof of Publication.pdf

Electronic Filing

a. Person responsible for this electronic filing:

Brooke E. Lewis Hopping Green & Sams, P.A. 123 S. Calhoun Street Tallahassee, FL 32301 1-850-425-2359 brookel@hgslaw.com

b. Docket No. 090172-EI

In re: Petition to Determine Need for FPL EnergySecure Pipeline

c. Document being filed on behalf of Florida Power & Light Company

d. There are a total of 17 pages.

e. The document attached for electronic filing is a Notice of Filing Certified Proof of Publication of Notice of Need Determination Hearing on a Petition for Determination of Need for Natural Gas Transmission Pipeline.

Thank you for your cooperation.

06284 JUN 23 8 FPSC-COMMISSION CLERK

### **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Florida Power & Light Company's Petition to Determine Need for FPL EnergySecure Pipeline DOCKET NO. 090172-EI

FILED: June 23, 2009

## NOTICE OF FILING CERTIFIED PROOF OF PUBLICATION OF NOTICE OF NEED DETERMINATION HEARING ON A PETITION FOR DETERMINATION OF NEED FOR NATURAL GAS TRANSMISSION PIPELINE

Florida Power & Light Company, by and through undersigned counsel, hereby serves notice that the Amended Notice of Commission Hearing and Prehearing on the Petition for Determination of Need for Florida EnergySecure Line by Florida Power & Light Company was published pursuant to Section 403.9422(1), Florida Statutes, in <u>The Palm Beach Post</u>, <u>Florida</u> <u>Today</u>, <u>Orlando Sentinel</u>, <u>The Florida Times-Union</u>, <u>The News-Journal</u>, and the <u>Scripps Treasure</u> <u>Coast Newspapers</u> on June 8, 2009; and in the <u>Okeechobee News</u> on June 10, 2009. Attached are the Affidavits serving as proofs of publication of the Notice.

1

RESPECTFULLY SUBMITTED this 23rd day of June, 2009.

R. Wade Litchfield, Vice President and Chief Regulatory Counsel John T. Butler, Managing Attorney Scott Goorland, Principal Attorney Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408 Telephone: (561) 304-5253 Facsimile: (561) 691-7135

and

Gary V. Perko Brooke E. Lewis HOPPING GREEN & SAMS, P.A. 123 S. Calhoun Street (32301) P.O. Box 6526 (32314) Tallahassee, Florida Telephone: 850-222-7500 Facsimile: 850-224-8551

By:

E. Livis

Brooke E. Lewis

Attorneys for Florida Power & Light Company

### **CERTIFICATE OF SERVICE** Docket No. 090172-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically and by United States mail this 23rd day of June, 2009, to the following:

Martha Carter Brown Office of General Counsel Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850 MBrown@PSC.STATE.FL.US

Floyd R. Self Messer Caparello & Self, P.A. 2618 Centennial Place Tallahassee, FL 32308 fself@lawfla.com

Brooke E. Suris Attorney

### THE PALM BEACH POST

Published Daily and Sunday West Palm Beach, Palm Beach County, Florida

### PROOF OF PUBLICATION

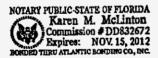
### STATE OF FLORIDA COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Rose Novotny, who on oath says that she is Real Estate Manager of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida: that the attached copy of advertising for a Notice in the matter of Order #819 was published in said newspaper in the issues of June 8, 2009. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Also published in Martin and St. Lucie Counties.



Sworn to and subscribed before 8th day of June, A.D. 2009 Who is personally known to me.

hut



Before the Florida Public Service Commission Amended Notice of Commission Hearing and Prehearing

Docket No. 090172-Et: Pelition for Determination of Need for Florida EnergySecure Line by Florida Power & Light Company

Issued: June 8, 2009

NOTICE IS NEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Menday – Teaeday, July 27 – 28, 2009, 9:30 a.m., Recen 148, Betty Easiery Conference Center, 4075 Explanade Way, Talkehassee, FL 32311. PUR OSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section. The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section. 1403.9422, Rorida Statutes, for FPL's proposed natural gas transmission pipeline, the Rorida EnergySecure Line, to be located in the following Rorida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Oscenia, indian River, Okeechobes, St. Lucie, Martin and Paim Beach. This proceeding shalt; (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such alther nurroses as the Commission serviced and emponded.

who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chaptera 25-22 and 28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the aole forum for the determination of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the oconomic well-being of the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need. The determination of need by the Commission is binding on all parties to any cartification proceeding pursuant to Sections 403.9425, Florida Statutes, and is a condition precedent to the conduct of the contribution bearing prescribed therein. An order entered by the Commission pursuant to this hearing shell constitute final acercy action. mission pursuant to this hearing shall constitute final agency action.

or the second se ssion Pipeline Shing Board at a later date to consider environmental and other impacts of the proposed pipelin and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present Members of all putties which are not parameter to members of the public who wish to offer testimony should present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to be a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, tion pursuant to Rule 25-22.039, Florida strative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be ed by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least He (5) days before the final hearing, must conform with Rule 28-106.201(2), Forkia Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is extilled to participate in the proceeding as a metter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are ect to determination or will be affected through the hearing.

Sect to determination or while a anected wrough the meaning. Written comments regarding the need for the proposed pipeline and essociated facilities may be sent to the minission at the following address: Office of Commission Clerk, Florida Public Service Commission, 40 Shumant Gal: Routevard, Tallahassee, FL 32309-0650, Re: Decket No. 090172-EI. GENERAL LOCATION AND PROJECT DESCRIPTION:

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMct/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okaechobae, St. Lucie, Martin and Palm, Beach. The proposed in-service date for the Florida EnergySecure Line is 2014. PREHEARING CONFERENCE:

PREHEARING CONFERENCE: A prehearing conference will be held at the following time and pisce: Monday, July 6, 2009, 9:30 a.m., Roem 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahasses, FL 32311. The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' postions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case.

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771. This Comm

A copy of FPL's petition for a determination of need and supporting exhibits are available for public inspection during irs at the following location: normal business hou

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Norma Descripts induce as the number of constraints of the Commission Clerk and Administrative Ser 4075 Esplanade Way, Room 110 — Betty Easley Conference Center, Tellahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090172



## PALM BEACH NEWSPAPERS, INC.

The Palm Beach Post 2751 S. Dixie Hwy., West Palm Beach, FL 33405 Phone: (561) 820-3106 Fax: (561) 820-4340 FED ID # 58-1633719 legals@pbpost.com

## Legal Advertising Invoice

Account # 397464

Ad # 4439237R

Description: Not: Order #819

Size: 1/4 PAGE

Amount: \$981.75 NET

Published: June 8, 2009

**Advertising Deadlines** 

Publish

Monday

Tuesday

Thursday

Saturday

Sunday

Friday

Wednesday

Deadline Friday 3PM Friday 3PM Monday 3PM Monday 3PM Wednesday 3PM Thursday 3PM Thursday 3PM

MGSCOMM Carolina Rodriguez 1500 S. Douglas Road Coral Gables, FL 33431

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Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission,	
2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-EL	1,5,5
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Web Address: http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090172	
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Published Daily

### STATE OF FLORIDA COUNTY OF BREVARD

Before the undersigned authority personally appeared <u>KATHY CICALA</u>, who on oath says that she is <u>LEGAL ADVERTISING SPECIALIST</u> of the <u>FLORIDA TODAY</u>, a newpaper published in Brevard County, Florida; that the attached copy of advertising being a

## LEGAL NOTICE

Ad # ( 6MG604 )	\$1,450.26 the m	after of:	······································	· · · · · · · · · · · · · · · · · · ·	
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was published in the FLORIDA TODAY in the issue(s) of:

June 8, 2009

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in **MELBOURNE** in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before this:



S. H. WARD MY COMMISSION # DD 449451 EXPIRES: July 22, 2009 Bonded Thru Budget Notary Services

(Signature of Affiant)

8th day of June, 2009

(Signature of Notary Public)

S. H. Ward (Name of Notary Typed, Printed or Stamped)

Personally Known <u>X</u> or Produced Identification \_\_\_\_\_ Type Identification Produced: \_\_\_\_\_

Amended Notice of Commission Hearing and Prehearing Docket No. 090172-El: Petition for Determination of Need for

Florida EnergySecure Line by Florida Power & Light Company Issued: June 8, 2009

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Monday - Tuesday, July 27 - 28, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL-32311. PURPOSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the economic well-being of the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need. The determination of need by the Commission is binding on all parties to any certification proceeding pursuant to Sections 403.9401-403.9425, Florida Statutes, and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed intrastate natural gas transmission opeline will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipeline Siting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Beulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-EL **GENERAL LOCATION AND PROJECT DESCRIPTION:** 

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMct/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam, Hagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014. PREHEARING CONFERENCE:

A prehearing conference will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' positions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case. JURISDICTION:

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPL's petition for a determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Room 110 - Betty Easley Conference Center, Taliahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090172



£336184



June 9, 2009

Carolina Rodriguez MGS Communications LLC 1500 Douglas Road, Ste. 230-A Coral Gables, FL 33134

Dear Carolina,

This letter is to confirm that Florida Power & Light placed advertising within The Orlando Sentinel on the following date:

Date	AD Size	Section Pag	e Cost
6-8-09	3 col x 10.50"	Main News A15	\$6,961.50 net

Sincerely,

ζ. Mi 9

Mike Eri Account Executive General Advertising (407) 420-5357

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of June, 2009, by Mike Eri, who is personally known to me.  $- \sqrt{1 + \sqrt{2}}$ 

STATE OF FLORIDA COUNTY OF ORANGE



Amended Notice of Commission Hearing and Prehearing Docket No. 090172-EI: Petition for Determination of Need for Florida EnergySecure Line by Florida Power & Light Company

Issued: June 8, 2009

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NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Monday - Tuesday, July 27 - 28, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311.

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section PURPOSE AND PROCEDURE: 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony

in support of its petition for a determination of need for its intrastate natural gas transmission pipeline; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4)

atlow for such other purposes as the Commission may deem appropriate. The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and

28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, teliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the economic well-being of the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need. The determination of need by the Commission is binding on all parties to any certification proceeding pursuant to Sections 403.9401-403.9425, Florida Statutes, and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed intrastate natural gas transmission pipeline will be heard at this .

hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipeline Sitting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mall to all parties. Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the Intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission,

## 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-E).

GENERAL LOCATION AND PROJECT DESCRIPTION:

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMcf/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam,

Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014.

PREHEARING CONFERENCE:

A prehearing conference will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' positions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case.

JURISDICTION:

0

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPL's petition for a determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Horida Public Service Commission, Division of the Commission Clerk and Administrative Services, 4075 Espianade Way, Room 110 - Betty Easley Conference Center, Taliahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090172



## FLORIDA PUBLISHING COMPANY Publisher

JACKSONVILLE, DUVAL COUNTY, FLORIDA

# STATE OF FLORIDA COUNTY OF DUVAL

Before the undersigned authority personally appeared	
Andy Pearl	who on oath says that he is
General Adv. Account Executive	- of The Florida Times-Union,
a daily newspaper published at Jacksonville in Duva	l County, Florida; that the
attached copy of advertisement, being a <u>ROP Legal</u>	Notice
<u>3 col x 10 3/4" advertsiemen</u>	1t
in the matter of Florida Power & Light C	
in the	Court,
was published in THE FLORIDA TIMES-UNION in the i	issues of
Monday, June 8, 2009	·····

Affiant further says that the said The Florids Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval County, Florida, for a period of one year next preceeding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me
this
Notary Public,
State of Florida at Large.
My Commission Expires 01/30/2010
Sally W. Willis
DA 444 Commission # DD482207 Expires January 30, 2010
Bonded Troy Fan Insurance Inc 800-365-7019

Amended Notice of Commission Hearing and Prehearing Docket No. 090172-EI: Petition for Determination of Need for

Florida EnergySecure Line by Florida Power & Light Company Issued: June 8, 2009

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Monday – Tuesday, July 27 – 28, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311. PURPOSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline;

(2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the economic well-being of the public; the appropriate commencement and termination of need by the Commission is binding on all parties to any certification proceeding pursuant to Sections 403.9401-403.9425, Florida Statutes, and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed intrastate natural gas transmission pipeline will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipeline Siting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the Intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-EL:

### GENERAL LOCATION AND PROJECT DESCRIPTION:

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMct/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014.

#### PREHEARING CONFERENCE:

A prehearing conference will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' positions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case. **JURISDICTION:** 

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPU's petition for a determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Room 110 -- Betty Easley Conference Center, Taliahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFliings2.aspx?docket=090172



0000813390

### The News-Journal

Published Daily and Sunday Daytona Beach, Volusia County, Florida

State of Florida, **County of Volusia:** 

Before the undersigned authority personally appeared

Stacy W. Montoya

who, on oath says that she is

Classified Advertising Manager of The News-Journal, a daily and Sunday newspaper, published at Daytona Beach in Volusia County, Florida, the attached copy of advertisement, being a

### AMENDED NOTICE OF COMMISSION HEARING AND PREHEARING FLORIDA POWER & LIGHT COMPANY (FPL)

In the matter of 813390 in the Court was published in said newspaper in the issues JUNE 8, 2009

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Stugi Monty

Sworn to and subscribed before me

874 this JUNE day of A.D. 2009 Kelley Jean Mfeel



KELLEY JEAN MEEHAN Notary Public, State of Florida My Comm. Expires April 7, 2012 Commission No. DD 776318

Before the Florida Public Service Commission

Amended Notice of Commission Hearing and Prehearing Docket No. 090172-EI: Petition for Determination of Need for

Florida EnergySecure Line by Florida Power & Light Company Issued: June 8, 2009

NOTICE IS HEREBY GIVEN that a hearing will be held before the Plorida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas naming the polyton of a most reveal of Light Company (17-1) or a becaming atom of new (10 an imastate nature gas namission pipeline, at the following time and place: Monday - Tuesday, July 27 - 28, 2009, 9:30 s.m., Room 148, Betty Easley Centerence Center, 4075 Esplanada Way, Tallahasses, FL 32311. PURPOSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section The purpose of this nearing will be for the Commission to take initial action to determine the result, possible to determine 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Ragler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Oksechobee, SL Lucle, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline;

(2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for

such other purposes as the Commission may deem appropriate. The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and 28-106, Ine proceedings will be governed by the provisions of Section 405-954, i white Statutes, and Origina 25-22 will be form for the determination Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission rate take into account the need for natural gas of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the economic well-being of delivery. reliability. the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need. The determination of need by the Commission is binding or all parties to any certification proceeding pursuant to Sections 403,9401-403,9425, Florida Statutes, and is a condition precedent to the conduct of the cartification aring prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

meaning prescribed merery, who duer entered by the Commission pursuant to this meaning even consume mean agency action. Only issues relating to the need for the proposed intrastate natural gas transmission pipeline will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipelin In Piceline Siting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to crossramination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Cod ve Code. with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties Those wishing to intervene in this proceeding, unless appearing on their own behalf, must be represented by an attorney or oth person who can be determined to be a qualified representative pursuent to Chapter 120, Florida Statutes, and Rule 28-106, Fiorida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations aufficient to demonstrate that the intervenor is entitled to participate in the pruceding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission, lard Oak Roulevard, Talianacose, FL 32399-0650, Re: Decket Ne. 090172-El.

2540 Shurt GENERAL LOCATION AND PROJECT DESCRIPTION.

FPL's proposed Rickita EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 800 million cubic feet of natural gas per day (MMcL/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putham, Flagler, Volusia, Semihole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014.

PREHEARING CONFERENCE: A proheering contenence will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Reem 148, Betty Eastery Contenence Center, 4075 Esplanede Way, Tallaheasee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, it possible, the number of issues. (2) to determine parties' possibles on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case.

JURISDICTION: This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (650) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPL's patition for a determination of need and supporting exhibits are available for public inspection during normal

A COPY OF FEST postorer for a obstitutement of noos and supporting extrans are transition for point business hours at the following location: Florida Public Service Copynission, Division of the Commission Clerk and Administrative Serv 4075 Esplanade Way, Room 110 – Betty Easley Conference Center, Takahassoo, FL 32311 Wob Address: http://www.psc.state.fLue/dockets/crue/docketFilings2.aspx?docket=090172



P.O. Box 9009 Stuart, FL 34994 TEL: (772) 287-1550 • FAX: (772) 220-8919

## Scripps Treasure Coast Newspapers

State of Florida County of Martin Before me the undersigned authority, personally appeared Lilli Senesac, who on oath says that she is the Advertising Billing/Credit Manager for Scripps Treasure Coast Newspapers, a daily newspaper published in Martin County Florida that the attached copy of advertisement being a <u>FPL ACCT#15609753</u> in the matter of ad Energy Secure, ad size 3x10 was published on June 8, 2009.

Affiant further says that this publication of newspaper was published in said Martin County Florida and distributed, in Martin County, St. Lucie County and Indian River County, Florida with offices and paid circulation in Martin County, St. Lucie County and Indian River County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commissions or refunds for the purpose of securing this advertisement for publication in the said newspaper. Scripps Treasure Coast Newspaper has been entered as second class matter at the post office in Martin County, St. Lucie County and Indian River County, Florida and has been for a period of one year preceding the first publication of the attached copy of advertisement.

Original copies of publications may not be available at this date.

Lilli Senesac-Adv Billing/Credit Manager

Sworn to and subscribed before me this 9 day of June A.D. 2009

Notary Public

Seal

NOTARY PUBLIC STATE OF FLORIDA Commission #DD801491 Expires: OCT. 22, 2012 BONDED THRU ATLANTIC BONDING CO., DIC.

Da

The Stuart News • Port St. Lucie News • Port St. Lucie Tribune • Fort Pierce Tribune • Press Journal The Jupiter Courier • Sebastian Sun • Treasure Coast Business Journal • 50 Plus Lifestyles • TCPalm.com

Amended Notice of Commission Hearing and Prehearing Docket No. 090172-El: Petition for Determination of Need for Florida EnergySecure Line by Florida Power & Light Company Issued: June 8, 2009

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Monday – Tuesday, July 27 – 28, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311. PURPOSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminoie, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline:

(2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed pipeline. In making its determination, the Commission must take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural - gas to assure the economic well-being of the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need. The determination of need by the Commission is binding on all parties to any certification proceeding pursuant to Sections 403.9401-403.9425, Florida Statutes, and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed intrastate natural gas transmission pipeline will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipeline Siting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding with have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mail to all parties. Those wishing to Intervene In this proceeding, unless appearing on their own behalf, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Fiorida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-El. GENERAL LOCATION AND PROJECT DESCRIPTION:

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMcf/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucle, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014.

### PREHEARING CONFERENCE:

A prehearing conference will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Taltahassee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' positions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case.

#### JURISDICTION:

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPL's petition for a determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Room 110 - Betty Easley Conference Center, Tallahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFl/ings2.aspx?docket=090172



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Inc.

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107 S.W. 17th Street, Suite D, Okeechobee, FL 34974

(863) 763-3134

### STATE OF FLORIDA COUNTY OF OKEECHOBEE

Before the undersigned authority personally appeared Judy Kasten, who on oath says she is Advertising Director of the Okeechobee News, a three times a week Newspaper published at Okeechobee, in Okeechobee County, Florida, that the attached copy of advertisement being a <u>Author</u>

in the matter of Ine-hearing Hearing 1 mmission in the 19th Judicial District of the Gircuit Court of Okeechobee County, Florida, was published in said newspaper in the issues of \_\_\_\_\_\_0/0/09

Affiant further says that the said Okeechobee News is a newspaper published at Okeechobee, in said Okeechobee County, Florida, and that said newspaper has heretofore been published continuously in said Okeechobee County, Florida each week and has been entered as second class mail matter at the post office in Okeechobee, in said Okeechobee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Judy Kasten

Sworn to and subscribed before me this

AD 2009

Notary Public, State of Florida at Large

elena L. Eubantr

Official Seal SELENA L. EUBANKS Notary Public, State of Florida My comm. expires Sept. 25, 2009 Comm. No. DD 475290

Amended Notice of Commission Hearing and Prehearing Docket No. 090172-EI: Petition for Determination of Need for Florida EnergySecure Line by Florida Power & Light Company Issued: June 8, 2009

NOTICE IS HEREBY GIVEN that a hearing will be held before the Florida Public Service Commission in the above docket regarding the petition of Florida Power & Light Company (FPL) for a determination of need for an intrastate natural gas transmission pipeline, at the following time and place: Monday – Tuesday, July 27 – 28, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311. PURPOSE AND PROCEDURE:

The purpose of this hearing will be for the Commission to take final action to determine the need, pursuant to Section 403.9422, Florida Statutes, for FPL's proposed natural gas transmission pipeline, the Florida EnergySecure Line, to be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. This proceeding shall: (1) allow FPL to present evidence and testimony in support of its petition for a determination of need for its intrastate natural gas transmission pipeline;

(2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

The proceedings will be governed by the provisions of Section 403.9422, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code. Under Section 403.9422, Florida Statutes, the Commission is the sole forum for the determination of need for the proposed pipeline. In making its determination, the *Commission must* take into account the need for natural gas delivery, reliability, safety, and integrity; the need for abundant, clean-burning natural gas to assure the economic well-being of the public; the appropriate commencement and terminus of the line; and other matters within its jurisdiction deemed relevant to the determination of need by the Commission is binding on all parties to any certification proceeding pursuant to Sections 403.9401-403.9425, Florida Statutes, and is a condition precedent to the conduct of the certification hearing prescribed therein. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only issues relating to the need for the proposed intrastate natural gas transmission pipeline will be heard at this hearing. Separate public hearings will be held before the Division of Administrative Hearings and the Natural Gas Transmission Pipeline Siting Board at a later date to consider environmental and other impacts of the proposed pipeline and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present testimony regarding the need for the proposed pipeline. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Monday, July 27, 2009. All witnesses will be sworn in and will be subject to cross-examination at the conclusion of their testimony.

By providing public testimony, a person does not become a party to the proceeding. Anyone wishing to become a party to this need determination proceeding should file an appropriate petition pursuant to Rule 25-22.039, Florida Administrative Code, with the Office of the Commission Clerk at the address listed below. Copies of the petition should be sent by mall to all parties. Those wishing to intervene in this proceeding, unless appearing on their own behair, must be represented by an attorney or other person who can be determined to be a qualified representative pursuant to Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code. Petitions for leave to intervene must be filed at least five (5) days before the final hearing, must conform with Rule 28-106.201(2), Florida Administrative Code, and must include allegations sufficient to demonstrate that the intervenor is entitled to participate in the proceeding as a matter of constitutional or statutory right or pursuant to Commission rule, or that the substantial interests of the intervenor are subject to determination or will be affected through the hearing.

Written comments regarding the need for the proposed pipeline and associated facilities may be sent to the Commission at the following address: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, Re: Docket No. 090172-EL GENERAL LOCATION AND PROJECT DESCRIPTION:

FPL's proposed Florida EnergySecure Line is an intrastate natural gas pipeline with an initial capacity of 600 million cubic feet of natural gas per day (MMcf/d). The pipeline may be located in the following Florida counties: Bradford, Clay, Putnam, Flagler, Volusia, Seminole, Orange, Brevard, Osceola, Indian River, Okeechobee, St. Lucie, Martin and Palm Beach. The proposed in-service date for the Florida EnergySecure Line is 2014.

#### PREHEARING CONFERENCE:

A prehearing conference will be held at the following time and place: Monday, July 6, 2009, 9:30 a.m., Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32311.

The purpose of this prehearing conference is: (1) define and limit, if possible, the number of issues, (2) to determine parties' positions on the issues, (3) to determine what facts, if any, may be stipulated, (4) to dispose of any motions or other matters that may be pending, and (5) to consider any other matters that may aid in the disposition of this case.

### JURISDICTION:

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.9422, Florida Statutes. Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771.

A copy of FPL's petition for a determination of need and supporting exhibits are available for public inspection during normal business hours at the following location:

Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Room 110 – Betty Easley Conference Center, Tallahassee, FL 32311 Web Address: http://www.psc.state.fl.us/dockets/cms/docketFilings2.aspx?docket=090172



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