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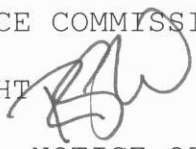
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10 APR 19 PM 4:43
COMMISSION
CLERK

MEMORANDUM

TO: ANN COLE, COMMISSION CLERK
FLORIDA PUBLIC SERVICE COMMISSION

FROM: ROBERT SCHEFFEL WRIGHT 

SUBJECT: DOCKET NO. 090451-EM, NOTICE OF COMMISSION HEARING AND
PREHEARING, AFFIDAVIT OF PUBLICATION

DATE: April 19, 2010

Attached for filing is the original Affidavit of Publication of the notice of hearing and prehearing for Docket No. 090451-EM, which includes a copy of the published notice. The notice was published in The Gainesville Sun on April 9, 2010.

As always, thank you for your and your Staff's assistance. If you have any questions, please give me a call.

Attachment

COPIES: Erik L. Sayler, Esquire
Martha Carter Brown, Esquire
Florida Public Service Commission

J.R. Kelly, Esquire
Office of the Public Counsel

Dian R. Deevey
Paula H. Stahmer

DOCUMENT NUMBER-DATE
02990 APR 19 2010
FPSC-COMMISSION CLERK

G 139013

NO _____

THE GAINESVILLE SUN

*Published Daily and Sunday
GAINESVILLE, FLORIDA
STATE OF FLORIDA
COUNTY OF ALACHUA*

Ernest Blake III

Before the undersigned authority appeared.....

Legal Advertising Coordinator

Who on oath says that she is.....of THE GAINESVILLE SUN, a daily

*newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being
LEGAL ADVERTISEMENT, GRU City of Gainesville*

Notice of RESCHEDULED Commission Hearing and Prehearing FL Public Service Commission

In the matter of

in the.....Alachua.....Court, was published in said newspaper in the issues of

Friday, April 9,

..... 2010

Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in Said Alachua 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 for publication in the said newspaper.

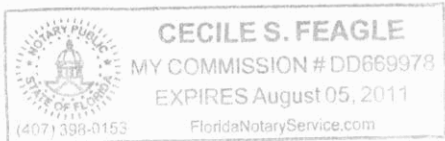
Sworn to and subscribed before me this

.....13 day of April A.D., 2010

Cecile S. Feagle

(seal) Notary Public

[Signature]



DOCUMENT NUMBER - DATE
02990 APR 19 2010
FPSC - COMMISSION CLERK

NOTICE OF RESCHEDULED COMMISSION HEARING
FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 090451-EM

JOINT PETITION TO DETERMINE NEED FOR GAINESVILLE RENEWABLE ENERGY CENTER IN ALACHUA COUNTY, BY GAINESVILLE REGIONAL UTILITIES AND GAINESVILLE RENEWABLE ENERGY CENTER, LLC

NOTICE IS HEREBY GIVEN that a supplemental hearing will be held before the Florida Public Service Commission in the above docket regarding the joint petition of Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC ("Applicants") for determination of need for the Gainesville Renewable Energy Center electrical power plant in Alachua County, at the following time and place:

*** Monday, May 3, 2010 at 9:30 AM ***
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

* Please note that the hearing is now scheduled for Monday, May 3, 2010, and that, pursuant to the direction of the Florida Public Service Commission, this rescheduled date replaces the hearing that was previously scheduled in this docket for April 15, 2010. *

PURPOSE AND PROCEDURE

The purpose of this supplemental hearing will be for the Commission to take limited additional evidence to supplement the record to address the Commissioners' questions raised at the February 9, 2010, Agenda Conference in this proceeding to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for GRU and GREC's proposed renewable energy electrical power plant to be constructed in Alachua County, Florida. This proceeding shall: (1) allow GRU and GREC to provide supplemental evidence and testimony of a limited nature to address the Commissioners' questions; (2) permit any intervenors to present testimony and exhibits in response to GRU and GREC's supplemental evidence and testimony; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present public testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. This additional hearing is scheduled for one day. Any additional hearing dates may be announced by the Commission at the hearing.

The proceedings will be governed by the provisions of Chapter 120, Florida Statutes; Section 403.519, Florida Statutes; and Chapters 25-22 and 28-106, Florida Administrative Code.

Under Section 403.519, the Commission is the sole forum for the determination of need for the proposed electrical power plant. In making its determination, the Commission must take into account the need for electric system reliability and integrity, the need for fuel diversity and supply reliability, the need for adequate electricity at a reasonable cost, and whether the proposed plant is the most cost-effective alternative available. In addition, the Commission must expressly consider any renewable energy sources and technologies or conservation measures taken by or reasonably available to GRU which might mitigate the need for the plant. The Commission may consider other matters within its jurisdiction which it deems relevant. The Commission's determination of need for the proposed plant shall create a presumption of public need and necessity and shall serve as the Commission's report required by subsection 403.507(4)(a), Florida Statutes. An order entered by the Commission pursuant to this hearing shall constitute final agency action.

Only limited supplemental testimony relating to the need for the renewable energy electrical power plant will be heard at the April 15, 2010, additional hearing. Separate public hearings may be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant and associated facilities.

Members of the public who are not parties to the need determination proceeding will have an opportunity to present public testimony regarding the need for the proposed plant. All members of the public who wish to offer testimony should be present at the beginning of the hearing, 9:30 a.m., Thursday, April 15, 2010. 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, F.A.C., 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 these proceedings, 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, F.S., and Rule 28-106.106, F.A.C. 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), F.A.C., 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 plant 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, Florida 32399-0850
Re: Docket No. 090451-EM

GENERAL LOCATION AND PROJECT DESCRIPTION

GRU and GREC LLC propose the construction of one new unit, to be known as the Gainesville Renewable Energy Center, which will consist of a nominal 100 megawatt (MW) net capacity steam unit designed to use clean woody biomass as its fuel supply. The plant will be located on GRU's existing Deerhaven Power Plant site within the City of Gainesville's corporate limits in Alachua County, Florida. The projected in-service date for the Gainesville Renewable Energy Center is December 1, 2013. The unit will be owned and operated by GREC LLC. GRU will receive power from the unit under a 30-year power purchase agreement with GREC LLC. All of the generation capacity from the unit will be committed to GRU for retail sale to its customers.

JURISDICTION

This Commission is vested with jurisdiction over the subject matter of this proceeding by Section 403.519, Florida Statutes.

COPY OF PETITION & EXHIBITS AVAILABLE FOR REVIEW

A copy of the Applicants' petition for determination of need and supporting exhibits is available for public inspection during normal business hours at the following location:

Florida Public Service Commission
Office of Commission Clerk
4075 Esplanade Way
Room 110 - Betty Easley Conference Center
Tallahassee, Florida

ACCOMMODATION OF SPECIAL NEEDS

Any person requiring some accommodation at this hearing because of a physical impairment should call the Office of Commission Clerk 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 Florida Relay Service, which can be reached at 1-800-955-8771 (TDD).

EMERGENCY CANCELLATION OF HEARING

If a named storm or other disaster requires cancellation of a hearing, Commission staff will attempt to give timely, direct notice to parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Commission's Office of the General Counsel at (850) 413-6199.

DOCUMENT NO. DATE
02990-10 04/19/10
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