

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Rules 25-22.070,  
25-22.071 and 25-22.072, F.A.C.,  
Contents, Submission, and Review  
of Ten-Year Site Plans.

DOCKET NO. 960111-EU  
ORDER NO. PSC-97-1373-FOF-EU  
ISSUED: October 30, 1997

The following Commissioners participated in the disposition of  
this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
DIANE K. KIESLING  
JOE GARCIA

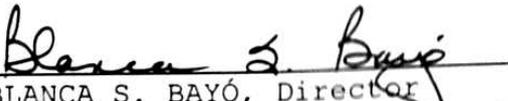
NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Florida Public Service  
Commission, pursuant to Section 120.54, Florida Statutes, has  
adopted the amendments to Rules 25-22.070, 25-22.071 and 25-22.072,  
Florida Administrative Code, relating to contents, submission, and  
review of ten year site plans, without changes.

The rule amendments were filed with the Department of State on  
October 20, 1997 and will be effective on November 10, 1997. A  
copy of the rule as filed with the Secretary of State is attached  
to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission, this 30th  
day of October, 1997.

  
BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

CTM

DOCUMENT NUMBER-DATE  
11193 OCT 30 5  
FPSC-RECORDS/REPORTING

25-22.070 Ten-Year Site Plans - Definitions.

(1) "Electric Utility" means any municipal electric utility, investor-owned electric utility, rural electric cooperative, public utility district, joint operating agency, or combinations thereof, that owns, maintains, or operates an electric generation, transmission, or distribution system within the state.

(2) "Power Plant" means any electrical generating facility using any process or fuel, including nuclear materials, and shall include those directly associated transmission lines required to connect to an existing transmission network.

(3) "Directly Associated Transmission Lines" means only new corridors and transmission lines from the power plant to the first structure on an existing transmission system.

(4) "Potential Sites" are sites within the state that an electric utility is considering for possible location of a power plant, a power plant alteration, or an addition resulting in an increase in generating capacity.

(5) "Preferred Sites" are sites within the state on which an electric utility intends to construct a power plant, a power plant alteration, or an addition resulting in an increase in generating capacity.

Specific Authority: 350.127(2), 186.801(4) F.S.

Law Implemented: 186.801, 366.04(5), F.S.

History: New 11/10/97.

25-22.071 Submission and Review of the Ten-Year Site Plans.

(1) Filing Requirements:

(a) All electric utilities in the State of Florida with existing generating capacity of 250 megawatt (mW) or greater shall prepare a ten-year site plan, and submit 25 copies to the Florida Public Service Commission's Division of Records and Reporting on the first working day of April of each year, unless extended. The plan shall date from December 31 of the prior calendar year.

(b) Any electric utility, other than those filing ten-year site plans pursuant to (1)(a), that elects to construct an additional generating facility exceeding 75 mW gross generating capacity shall prepare a ten-year site plan, and submit 25 copies to the Public Service Commission's Division of Records and Reporting in the year the decision to construct is made or at least three years prior to application for site certification, and every year thereafter until the facility becomes fully operational.

(2) The Commission will provide a copy of the ten-year site plans to appropriate federal, state, and local agencies, water management districts, and regional planning councils.

(3) The Commission will solicit comments from various federal, state, and local agencies, water management districts, and regional planning councils regarding the individual utility ten-year site plans. Any written comments shall be filed with the Commission within 90 days from the date of receipt of the plans. The state agencies from which comments will be solicited will include:

- (a) The Department of Environmental Protection.
- (b) The Department of Transportation.
- (c) The Department of Agriculture and Consumer Services.
- (d) The Department of Health.
- (e) The Game and Fresh Water Fish Commission.
- (f) The Board of Trustees of the Internal Improvement Trust Fund.

(g) The Department of Community Affairs.

(4) The Commission will complete its review of the plans within nine months following submission and will report its findings, along with any comments or recommendations, to the Florida Department of Environmental Protection and the utilities filing a plan. Other agencies to which the Commission sent the plan for review, and other entities may request a copy of the

review from the Division of Electric and Gas, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399.

(5) Plans that have been previously classified by the Commission as unsuitable may be classified suitable based on additional data.

(6) The electric utilities in Florida shall compile aggregate statewide and peninsular Florida (the area east of the Apalachicola River) data derived from individual electric utility plans and shall submit this data to the Commission by July 1 of each year.

Specific Authority: 350.127(2), 186.801(4) F.S.

Law Implemented: 186.801, 366.04(5), 366.05(7) F.S.

History: New 11/10/97.

25-22.072 Contents of Ten-year Site Plans.

(1) Individual electric utility ten-year site plans required by Rule 25-22.071 shall include at a minimum the information listed in Form PSC/EAG 43. Form PSC/EAG 43 ( /97), entitled "Electric Utility Ten-Year Site Plan Information and Data Requirements," is incorporated by reference into this rule and is available from the Division of Electric and Gas.

(2) When an application for certification of a preferred site for a proposed facility has been filed with the Department of

ORDER NO. PSC-97-1373-FOF-EU  
DOCKET NO. 960111-EU  
PAGE 6

Environmental Protection, no further environmental or land use data shall be submitted to the Commission for that site.

Specific Authority: 350.127(2), 186.801(4) F.S.

Law Implemented: 186.801, 366.04(5), 366.05(7) F.S.

History: New 11/10/97.