



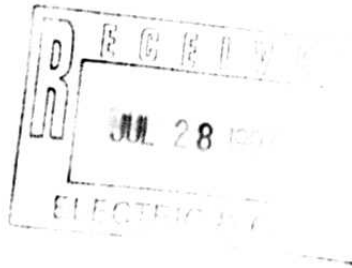
# South Florida Water Management District

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GOV 04-34

July 18, 1997

Mark Futrell  
Public Service Commission  
Gunter Building  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0864



Dear Mr. Futrell:

**Subject: 10-Yr. Site Plan (TYSP) Rule**

In follow-up to the meeting held on June 16, 1997, with the representatives of the Water Management Districts, Regional Planning Councils, Department of Community Affairs, Department of Environmental Protection and the Electric Utilities and the suggested revisions to the environmental and land use information section of the TYSP Rule, enclosed please find some suggested language changes to the Rule text dealing with the definitions and procedural aspects of the Rule. We believe these changes provide more consistency with the existing Power Plant and Transmission Line Siting Acts while improving the review process.

We would also like to support DEP's suggestion regarding a short deferral to the rule adoption process in order to allow further discussions between Public Service Commission staff and all the affected parties on the discussion items discussed in DEP's letter.

ACK \_\_\_\_\_

AFA 1 Thank you very much for your consideration of the above. Please give me a  
APP 1 call if you have any questions.

CAF \_\_\_\_\_  
CMU \_\_\_\_\_ Sincerely,

CTR \_\_\_\_\_ *Susan M. Coughanour/cah*

EAG \_\_\_\_\_  
LEG \_\_\_\_\_ Susan M. Coughanour, Senior Planner  
LIN \_\_\_\_\_ Regulation Department

OPC \_\_\_\_\_ SMC/cah  
RCH \_\_\_\_\_ Enclosure

SEC 1

*W* **Governing Board:**  
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**Mark Futrell**  
**July 18, 1997**  
**Page #2**

**c: Working Group**  
**Utility Representatives**  
**Chris Moore, PSC**

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 any associated facilities which directly support the construction and operation of the electrical power plant and those directly associated transmission lines required to connect to an existing transmission network or rights-of-way to which the utility intends to connect.

(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 \_\_\_\_\_.

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 mW or greater shall prepare a ten-year site plan, and submit 25 copies it to the Florida Public Services Commission's Division of Records and Reporting and the agencies identified in Section 25-22.071(2), F.A.C. 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 it to the Public Service Commission's Division of Records and Reporting and the agencies identified in Section 25-22.071(2), F.A.C., 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 shall maintain a mailing list, including the number of copies to be sent to each agency, of the applicable federal, state, and local agencies, water management districts, and regional planning councils for each utility required to file a ten-year site plan. Any other utilities required by Section 25-22.071(1)(b) to file a ten-year site plan shall contact the Commission at least 30 days prior to the first working day in April to determine the applicable agencies and number of copies, to which a plan shall be submitted.

(3) The Commission shall will solicit comments from the following 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 60 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 and Rehabilitative Services.
- (e) The Florida Game and Fresh Water Fish Commission.
- (f) The Board of Trustees of the Internal Improvement Trust Fund.
- (g) The Department of Community Affairs.
- (h) The applicable water management district(s).
- (i) The applicable regional planning council(s).
- (j) The applicable local government(s).
- (k) Any affected federal agencies.
- (l) Any other agency or entity identified by the Commission.

(4) The Commission shall ~~will~~ complete its review of the plans within nine months following submission and shall ~~will~~ report its findings, along with any comments or recommendations, to the Florida Department of Environmental Protection, all commenting agencies, 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 the individual electric utility base case ten-year site 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 F.S.

History: New \_\_\_\_\_.

**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 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) F.S.

History: \_\_\_\_\_.