PMLevyCOLNPEm Resource

From: Mulkey, Cindy [Cindy.Mulkey@dep.state.fl.us]
Sent: Monday, January 26, 2009 11:08 AM
To: Bruner, Douglas
Attachments: PEF LNP FAW Notice Cert Hearing (ALJ).pdf; Proof of Publication Cert Hearing (ALJ).pdf

Doug,

It was nice talking to you this morning.
I have attached the 2 notices of the Certification Hearing before the Administrative Law Judge (ALJ).
The below link takes you to the Second Amended Notice of Hearing on DOAH's website.
Let me know if there is anything else I can help you with.
Cindy

http://www.doah.state.fl.us/docdoc/2008/002727/08002727ANH-121208-10081808.pdf

Also, the amended schedule:

http://www.doah.state.fl.us/docdoc/2008/002727/08002727M-103008-16551955.PDF

Cindy Mulkey
Engineering Specialist
Department of Environmental Protection
Siting Coordination Office
Mail Station 48
3900 Commonwealth Blvd.
Tallahassee, Florida 32399
Phone: 850-245-2175
FAX: 850-245-2020

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

Hearing Identifier: Levy_County_COL_NonPublic
Email Number: 241

Mail Envelope Properties (DFFEBC87F906D742B3D1129AA670E33D56CC4F)

Subject:
Sent Date: 1/26/2009 11:07:51 AM
Received Date: 1/26/2009 11:08:26 AM
From: Mulkey, Cindy

Created By: Cindy.Mulkey@dep.state.fl.us

Recipients:
"Bruner, Douglas" <Douglas.Bruner@nrc.gov>
Tracking Status: None

Post Office: tlhexsmb4.floridadep.net

Files	**Size**	**Date & Time**
MESSAGE	1253	1/26/2009 11:08:26 AM
PEF LNP FAW Notice Cert Hearing (ALJ).pdf	43380	
Proof of Publication Cert Hearing (ALJ).pdf	1543213	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jill Stoyshich, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399 3000, (850)245-2001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2007.

The **Siting Coordination Office** announces a hearing to which all persons are invited.

DATES AND TIME: February 23, 2009 – April 17, 2009, 9:00 a.m.

PLACE: February 23-27, March 2-6, March 9-13, March 16-20, 2009, the hearing will be held at: Inglis Community Center, 137 Highway 40 West, Inglis, Florida. March 23-27, March 30-April 3, 2009, the hearing will be held: Plantation Inn, 9301 West Fort Island Trail, Crystal River, Florida. April 6-10, the hearing will be held: Crystal River National Guard Armory, 8551 West Venable Street, Crystal River, Florida. April 13-17, 2009, the hearing will be held: Plantation Inn, 9301 West Fort Island Trail, Crystal River, Florida.

The portion of the hearing from February 23-March 13, 2009, will relate to the proposed nuclear plant; the portion from March 16-March 20, 2009, will relate to the Citrus 1 and 2, Crystal River, Crystal River East 1 and 2, and Levy North and South transmission lines; the portion from March 23-27, 2009, will relate to the PHP Transmission Line; the portion from March 30-April 3, 2009, will relate to the Brooksville West and Brookridge transmission lines; and the portion from April 6-10, 2009, will relate to the Sumter Transmission Line. April 13-17, 2009, are reserved for wrap-up and rebuttal, if needed. Public testimony will be taken from 3:00 p.m. – 8:00 p.m. on the following days: February 26, 2009 at Inglis Community Center; March 3, 2009 at Inglis Community Center; March 16, 2009, at Crystal River National Guard Armory, 8551 West Venable Street, Crystal River, Florida; March 24, 2009 at Bethany Center, 18150 Bethany Center Drive, Lutz, Florida; March 31, 2009 at Brooksville Elks Lodge, 14494 Cortez Boulevard, Brooksville, Florida; and April 7, 2009 at the Savannah Center, 510 Colony Boulevard, The Villages, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge J. Lawrence Johnston will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Progress Energy Florida, Levy Nuclear Plant Units 1 and 2, application for site certification number PA08-51, DOAH Case Number 08-2727EPP, DEP Office of General Counsel Case Number 08-1621, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. Judge J. Lawrence Johnston will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the water management district, the Department of Environmental Protection, the regional planning council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or 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 electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with Administrative Law Judge J. Lawrence Johnston, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to commencement of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. The certification hearing may be cancelled in accordance with Section 403.508(6)(a), F.S.; "No earlier than 29 days prior to the conduct of the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the

proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, and if sufficient time remains for the applicant and the department to publish public notices of the cancellation of the hearing at least 3 days prior to the scheduled date of the hearing."

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2007.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jill Stoyshich, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399 3000, (850)245-2001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jill Stoyshich, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2007.

The **Bureau of Beaches and Coastal Systems** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 8, 2009, 10:00 a.m.; January 9, 2009, 9:00 a.m.

PLACE: Bureau of Beaches and Coastal Systems, Training Room #309, 5050 West Tennessee St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of a workgroup established in accordance with House Bill 5001 of the General Appropriations Act, 2008Legislative Session, designed to review the effectiveness of Florida's statewide beach management program. Specifically, the workgroup will review the Joint Coastal Permitting and Beach Management Funding programs and make recommendations regarding program improvements and possible changes to Florida law and related rules. The group's recommendations will be given to the President of the Florida Senate, the Speaker of the Florida House of Representatives and the Executive Office of the Governor by January 15, 2009. Members of the public may attend the meeting and will have an opportunity to speak at the end of the meeting.

A copy of the agenda may be obtained by contacting: Jackie Larson, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, MS 300, Tallahassee, Florida 32399-2400, (850)414-7889, jackie.larson@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jackie Larson at the mailing address, e-mail address, or telephone number listed above in this notice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jackie Larson at the mailing address, e-mail address, or telephone number listed above in this notice.

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 12, 2009, 3:00 p.m. – 4:00 p.m. or conclusion

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Code: 1792178

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 08-36.

A copy of the agenda may be obtained by contacting: There is no formal agenda for this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lona Taylor at (850)245-4242, Lona_Gibson-Taylor@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.healthy floridians.com/autism.html.

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, January 28, 2009, 10:00 a.m. – 5:00 p.m. or conclusion; Thursday, January 29, 2009, 9:00 a.m. – 3:30 p.m. or conclusion

PLACE: Florida State University, College of Medicine, 1115 West Call Street, Tallahassee, FL 32306-4300, (850)644-1855

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fourth meeting Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009.

A copy of the agenda may be obtained by contacting: www.healthyfloridians.com/autism.html or by calling Lona Taylor at (850)245-4242.

THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

In Re: PROGRESS ENERGY FLORIDA	)	DOAH CASE NO. 08-2727EPP
LEVY NUCLEAR PROJECT	)	OGC CASE NO. 08-1621
UNITS 1 AND 2	)	PPSA No. PA08-51
	)	

NOTICE OF FILING CERTIFIED PROOFS OF PUBLICATION FOR NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

Progress Energy Florida (PEF), by and through undersigned counsel, hereby serves notice that the attached Proofs of Publication for the Notice of Certification Hearing on an Application to Construct and Operate an Electrical Power Plant on a Site to be Located in Levy County, Florida, and Associated Facilities to be Located in Levy, Citrus, Marion, Sumter, Lake, Hernando, Pinellas, Hillsborough and Polk Counties: Progress Energy Florida Levy Nuclear Project, which was published on December 18, 2008, in the Star-Banner, the Hernando Today, the Tampa Tribune, The Ledger, The Daily Sun, the Levy County Journal, the Orlando Sentinel, the Gainesville Sun, the Citrus County Chronicle, the Sumter County Times, the Hernando Times, and the North Pinellas Times have been filed with the Administrative Law Judge at the Division of Administrative Hearings, pursuant to Section 403.508(2)(b), Florida Statutes.

Respectfully submitted this 9th day of January, 2009.

HOPPING GREEN & SAMS, P.A.

By: Douglas S. Roberts

Douglas S. Roberts
Florida Bar No. 0559466
Virginia C. Dailey
Florida Bar No. 419168
P.O. Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorneys for PROGRESS ENERGY FLORIDA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail on this 9th day of January, 2009:

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hhorne@dunnellon.org

Douglas S. Roberts
Attorney

PROOF OF PUBLICATION

STAR-BANNER

Published—Daily

OCALA, MARION COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF MARION

Before the undersigned authority personally appeared **Brent Atkinson**

Who on oath says that he/she is an authorized employee of the Star-Banner, a daily newspaper published at Ocala, in Marion County, Florida; that the attached copy of advertisement, being a notice in the matter of

6x21.00 Progress Energy Legal Notice

Was published in said newspaper in the issues of **December 18th 2009**

Affiant further says that the said STAR-BANNER is a daily newspaper published at Ocala, in said Marion County, Florida, and that the said newspaper has heretofore been continuously published in said Marion County, Florida, daily, and has been entered as second class mail matter at the post office in Ocala, in said Marion 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.

Brent Atkinson

Sworn to and subscribed before me this 5th day of January 2009

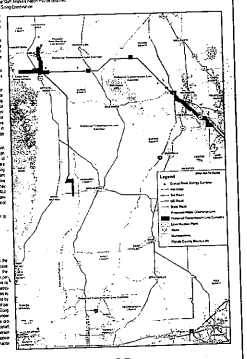
(Seal)

Melody Ann Day
NOTARY
My Comm. Expires
June 5, 2009
No. DD 505168
PUBLIC
STATE OF FLORIDA

Melody Ann Day
Notary Public

Melody Ann Day
(Print, Type or Stamp Name of Notary Public)

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT



Progress Energy

HERNANDO TODAY
Published Daily
BROOKSVILLE, HERNANDO, FLORIDA

State of Florida }
County of Hernando } ss.

Before the undersigned authority personally appeared C.Pugh who on oath says that she is Advertising Billing Supervisor of Hernando Today, a daily newspaper published at Brooksville in Hernando County, Florida; that the attached copy of advertisement being a

Legal Ads IN THE HERNANDO TODAY

in the matter of Legal Notices

was published in said newspaper in the issues of

12/18/2008

Affiant further says that the said Hernando Today is a newspaper published at Brooksville, in said Hernando County, Florida, and the said newspaper heretofore been continuously published in said Hernando County, Florida, each week and have been entered as second class mail matter at the post office in Brooksville, in said Hernando 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, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 18 day of December, A.D. 2008

Personally Known ✓ or Produced Identification_____

Type of Identification Produced____

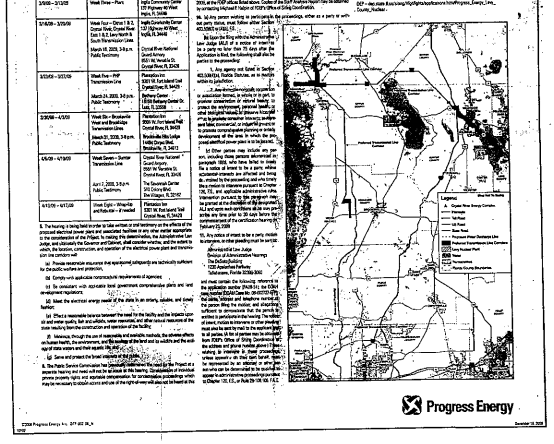
Ana Maria Hodel
Commission #DD551367
Expires: MAY 11, 2010
www.AaronNotary.com

#2628065-1218 1212517 - PROGRESS ENERGY

A12 - THURSDAY, DECEMBER 18, 2008 • HERNANDO TODAY • hernandotoday.com

LEGAL ADVERTISEMENT LEGAL ADVERTISEMENT LEGAL ADVERTISEMENT

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT



Progress Energy

The Tampa Tribune
Published Daily
Tampa, Hillsborough County, Florida

State of Florida
County of Hillsborough

Before the undersigned authority personally appeared C.Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE — The Tampa Tribune

In the matter of — Legal ads

was published in said newspaper in the issues of

12/18/2008

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as a second class mail matter at the post office in Tampa, in said Hillsborough 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, this advertisement for publication in the said newspaper.

Sworn to and subscribed before me, this 18 day of December, A.D.2008

Personally known ✓ or Produced Identification ___
Type of Identification Produced ___

Ana Maria Hodel
Commission #1033187
Expires: MAY 17, 2010
www.AnaMariaHodel.com

7 - PROGRESS ENERGY

LEGAL ADVERTISEMENT

TBO.com • THURSDAY, DECEMBER 18, 2008 • THE TAMPA TRIBUNE

LEGAL ADVERTISEMENT

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to a site for construction and operation of a 2,200-megawatt (MW) (net) nuclear electrical generating facility and associated electrical transmission lines and substations, access roads, and water pipelines was filed by Progress Energy Florida (PEF) with the Florida Department of Environmental Protection (FDEP) on June 2, 2008. The Project is known as the Levy Nuclear Project (Project). The Project site is Levy County and the location of the proposed associated transmission lines and other associated facilities are shown on the accompanying map. PEF is seeking certification of the entire Project under the Florida Electrical Power Plant Siting Act (PPSA or Act), Chapter 403, Part II, Florida Statutes (FS). The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 08-0572CG-EPP prior to final action by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two electrical generating units and related facilities will be located in Levy County, Florida. The Levy nuclear power plant is comprised of approximately 3,105 acres and has not been previously identified for power generation. The Levy project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification to approve the location of corridors for the construction, operation and maintenance of the following transmission lines:

(a) Levy North Line; a 69-kilovolt (kV) transmission line to the Levy Nuclear Plant site, approximately 20.8 miles in length;

(b) Levy South Line; a 69-kV transmission line at the Levy Nuclear Plant site, approximately 27.6 miles in length;

(c) Citrus 1 & 2 Lines; two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 7 miles in length;

(d) Brevard Line; a 500-kV transmission line from the Levy Nuclear Plant site to the Central Florida South Substation, approximately 66 miles in length;

(e) Crystal River Line; a 500-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex switchyard, approximately 14 miles in length;

(f) Crystal River East Line; two 230-kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 27 miles in length;

(g) Brookridge Line; a 230-kV transmission line from the Crystal River Energy Complex switchyard to Brookridge West Substation, approximately 2 miles in length;

(h) Brookridge West Line; a 230-kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 2 miles in length; and

(i) PHP Line; a 230-kV transmission line from Polk to Hillsborough to Pinellas counties, approximately 42 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on the application is scheduled to the hearing dates DOAH begins at 9 a.m. on February 09, 2009, or as soon thereafter as can be heard, through April 17, 2009. Specific dates, times, locations, and the subjects to be addressed are listed below. As requested by Hernando, Sumter, Hillsborough, and Levy Counties, local public hearings where members of the public not a party to the certification hearing do not testify under oath or be subject to cross-examination by all parties will be held in the dates, times, and locations listed below.

DATES	SUBJECTS TO BE ADDRESSED	LOCATION
2/03/09 – 2/07/09	Week One – Plant Railway/EIS, 2/03, 3-6 pm. Public Testimony	Inglis Community Center 137 Highway 40 West, Inglis, FL 34449
2/09/09 – 2/13/09	Week Two – Plant March 9, 2009, 3-6 pm. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/16/09 – 2/17/09	Week Three – Plant	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/18/09 – 2/23/09	Week Four – Citrus 1 & 2, Crystal River, Crystal River East 1 & 2, Levy North & South Transmission Lines March 16, 2009, 3-6 pm. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449 Crystal River National Guard Armory 8501 W. Venable St. Crystal River, FL 34428
2/23/09 – 3/27/09	Week Five – PHP Transmission Line March 26, 2009, 3-6 pm. Public Testimony	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429 Redwing Center 10100 Delaney Creek Dr. Tampa, FL 33619
3/30/09 – 4/3/09	Week Six – Brookridge West and Brookridge Transmission Lines March 31, 2009, 3-6 p.m. Public Testimony	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429 Brooksville Elks Lodge 14404 Cortez Blvd. Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line April 7, 2009, 3-6 pm. Public Testimony	Crystal River National Guard Armory 8501 W. Venable St. Crystal River, FL 34428 The Sawgrass Center 910 Colony Blvd. The Villages, FL 32163
4/13/09 – 4/17/09	Week Eight – Wrap-Up and Rebuttal – if needed	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429

5. The hearing is being held in order to take written or oral testimony on the effects of the proposed electrical power plant and associated facilities or any other matter appropriate to be considered at the Project. In making this determination, the Administrative Law Judge, and ultimately the Governor and Cabinet, shall consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and transmission lines conform with:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonprocedural requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, reliable, and timely fashion;

(e) Effect a reasonable balance between the need for the facility and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility;

(f) Minimize, through the use of preservation and available methods, the adverse effects on human health, the environment, or the ecology of the land and its wildlife and the overall quality of state waters and their aquatic life; and

(g) Serve and protect the broad interests of the public.

6. The Public Service Commission has previously determined the need for the Project at a separate hearing and will not be subject to this hearing. Consideration of individual public property rights and equitable compensation for condemnation proceedings which may be necessary to obtain access and use of the right-of-way will also not be heard at this hearing. Written comments may be sent to the Administrative Law Judge at the address listed in paragraph 11 below, on or before February 23, 2009.

7. 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 keep inquiries of owners to the appropriate agency's attention as soon as possible. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, whose contact information is listed below.

8. The application for certification is available for public inspection during normal business hours at the following locations:

- Florida Dept. of Environmental Protection
  Office of Siting Coordination
  Michael P. Halpin
  2600 Commonwealth Blvd.
  Tallahassee, Florida 32399-3000
  (1-850-245-2002)
  (Available in pdf/zip/high/light/application_in_process.htm
- Florida Dept. of Environmental Protection Southwest District Office
  Attention: Debra Orbach
  13051 N. Telecom Parkway
  Temple Terrace, FL 33637-0926
  (1-813-632-7600)
- Progress Energy Florida
  299 First Avenue N., PEF-933
  St. Petersburg, FL 33701
  Available during business hours
  Call 1-888-890-0014 for appointment
- Brevard Public Library
  (Viera Branch)
  4575 St. Petersburg Drive E.
  Melbourne, FL 32937
- St. Petersburg Main Library
  2342 9th Ave. North
  St. Petersburg, FL 33713
- Hillsborough County Public Library
  900 N. Ashley Street
  Tampa, FL 33602
- Lakeland Public Library
  (Polk County)
  100 Lake Mirror Drive
  Lakeland, FL 33801

9. FDEP is preparing a written Staff Analysis Report, including proposed conditions of certification, for the Project. That Staff Analysis Report will be available on or about January 21, 2009, at the FDEP offices listed above. Copies of this Staff Analysis Report may be obtained by contacting Michael P. Halpin of FDEP's Office of Siting Coordination.

10. (a) Any person wishing to participate in the proceeding, either as a party or without party status, must follow either Section 403.508(2) or (5)(b), F.S.

(b) Upon the filing with the Administrative Law Judge (ALJ) of a notice of intent to be a party no later than 20 days after the Application is filed, the following shall also be parties to the proceeding:

1. Any agency set forth in Section 403.508(5)(b), Florida Statutes, as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests, to represent labor, agricultural, or industrial groups, or to promote conservation planning or orderly development of the area in which the proposed electrical power plant is to be located.

(c) Other parties may include any person, including those persons enumerated in paragraph 10(b), who have filed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a notice to intervene pursuant to Chapter 120, F.S., and applicable administrative rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated ALJ and upon such conditions as he may provide any time prior to 30 days before the commencement of the certification hearing on February 09, 2009.

11. Any notice of intent to be a party, motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
The Oakland Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number PA08-51; the FDOAH case number DOAH Case No. 08-0572CG-EPP; the name, address and telephone number of the person filing the motion and allegations sufficient to demonstrate that the person is entitled to participate in the hearing. The notice of intent, motion to intervene or other pleading must also be sent by mail to the applicant and to all parties. (A list of parties may be obtained from FDEP's Office of Siting Coordination at the address and phone number above.) Persons 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 qualified to appear in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28-106.106, F.A.C.

12. When appropriate, any person may be given an opportunity to present oral or written communications to the designated ALJ. If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

13. Each party shall make available for public inspection at least five days prior to the hearing at the Sumter County place any written direct testimony which that party intends to submit at the hearing.

14. Pursuant to Section 403.508(5), F.S., the certification hearing may be concluded, within 28 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the FDEP or the applicant requests that the ALJ cancel the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.508(3)(a), F.S.

15. Certification of this power plant would allow construction and operation of a new source of air pollution which would constitute an increment of air quality consumed.

16. FDEP's review has separately reached to an application of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emission of air pollutants from this source. The certification hearing may be consolidated with any proceeding relating to the FDEP's preliminary determination for granting a federally required new source review PSD, or Air Operation Permit.

17. The certification hearing may include consideration of a federally required Wastewater Permit pursuant to Section 403.5905, F.S.

18. Pursuant to Section 403.508(5), F.S., PEF intends to use, consult, or access over proposed rights of way of the following agencies: Board of Trustees of the Internal Improvement Trust, Florida Department of Environmental Protection, Florida Department of Agriculture, Rural Rails of Florida, Hernando Commission Commissioner, Southwest Florida Water Management District, the counties of Levy, Citrus, Pinellas, Polk, Hillsborough, Marion, Sumter, and Hernando.

19. While an associated facility corridor of up to one mile in width may be certified, the directly affected properties will be within a four (4)-mile-wide-way no greater than 200 feet in width within that corridor.

20. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as specified in 15 CFR, Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Lynn Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 2600 Commonwealth Blvd., M.S. 47, Douglas Building, Tallahassee, Florida 32399-3000.

21. This notice is in lieu of other notices, including those relating to variances, changes in zoning ordinances and local government plans, or any other non-federal government license or permit.

22. A term or condition of the certification, if granted, may provide for the subsequent submittal of information necessary for agencies to monitor the effects arising from the location of transmission line corridors and the construction and maintenance of the transmission lines to assure continued compliance with state water quality requirements or compliance with other agency environmental rules and standards, particularly those regards to dredging and filling activities, without any further government action. A person whose substantial interest may be affected by such subsequent or monitoring must petition to become a party to this proceeding. If they decline up to intervention, determination, notice, in the postcertification monitoring process in that this certification proceeding provides such a person with the opportunity for a hearing as required by Chapter 120, F.S., and the Act. Failure to petition to become a party within the time frames set forth in the notice constitutes a waiver to an administrative determination by hearing pursuant to Chapter 120, F.S., and the Act in the post-certification review and monitoring within the scope of the terms or conditions of certification.

Further information about this project is available on the following Web Sites:

PEF – progress-energy.com/aboutenergy/generating/nuclear/levy/index.html

DEP – dep.state.fl.us/siting/Highlights/Application/In_Process/Progress_Energy_Levy_County_Nuclear

Progress Energy

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12-18

AFFIDAVIT OF PUBLICATION
THE LEDGER
Lakeland, Polk County, Florida

Case No's:

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Paula Fleeman, who on oath says that she is Inside Sales Classified Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of Certification Hearing

In the matter of Application to Construct and Operate

concerning Electrical Power Plant

was published in said newspaper in the issues of 12-18; 2008

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk 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.

Signed Paula Fleeman
Paula Fleeman
Inside Sales Classified Manager
Who is personally known to me.

Sworn to and subscribed before me this 18TH day of December A.D. 20 08

Patricia Ann Rowe
Notary Public

My Commission Expires October 17, 2012
C342 LK05039065

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to authorize construction and operation of a 2,200-megawatt (MW)(nominal) nuclear electrical power generating plant and associated electrical transmission lines and transmission access roads, and water conduit(s) was filed by Progress Energy Florida (PEF) with the Florida Department of Environmental Protection (FDEP) on July 30, 2008. The facility would be located in the Levy Nuclear Project (LNP) site in Levy County and associated transmission lines and other associated facilities are shown on the accompanying map. PEF is seeking certification of the entire Project under the Florida Electrical Power Plant Siting Act (PPSA or Act), Chapter 403, Part II, Florida Statutes (F.S.). The case is now being conducted by the Florida Division of Administrative Hearings (DOAH). Case No. 08-0672 (DOAH) is a "hybrid" action by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two alternative siting units and related facilities include located in Levy County, Florida, approximately 9 miles northeast of the town of Inglis, Florida, and has two steam turbines (nuclear) for power generation. The Site consists of a 5-mile radius (about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification approval for construction of corridors for the construction, operation and maintenance of the following electrical power lines.

(a) Levy North Line: a 500-kilovolt (kV) transmission line at the Levy Nuclear Plant site, approximately 275 feet in length.

(b) Levy South Line: a 500-kV transmission line at the Levy Nuclear Plant site, approximately 275 feet in length.

(c) Citrus 1 & 2 Lines: two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 2 miles in length.

(d) Sumter Line: a 500-kV transmission line from the Levy Nuclear Plant site to the Central Florida South Substation, approximately 55 miles in length.

(e) Crystal River Line: a 500-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex (northeast), approximately 74 miles in length.

(f) Crystal River East Line: two 230-kV transmission conductors from the Citrus Substation to the Crystal River East Substation, approximately 2.5 miles in length.

(g) Brookridge Line: a 230-kV transmission line from the Crystal River Energy Complex switchyard to Brookridge West Substation, approximately 2 miles in length.

(h) Brookridge West Line: a 230-kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 1 mile in length; and

(i) PEF Line: a 230-kV transmission line from Polk to Hillsborough / Pinellas counties, approximately 50 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on this application is scheduled to be heard by the DOAH beginning at 9 a.m. on February 23, 2009, or as soon thereafter as the matter may be heard, in the Levy County Courthouse, Bronson, Florida. Other hearings will be scheduled and noticed hereto. Accompanied by Hernando, Sumter, Hillsborough, and Levy Counties, local public hearings where members of the public may participate in the certification hearing may be held under such as an unsworn form and subject to cross-examination by all parties will be held at the dates, times, and locations listed below:

DATES	SUBJECTS TO BE ADDRESSED	LOCATION
2/23/09 – 2/27/09	Week One – Plant Site and Linear Corridors 9:00 a.m. Public Hearing	Inglis Community Center 10 Highway 40 West Inglis, FL 34449
3/2/09 – 3/6/09	Week Two – Plant March 3, 2009, 3:00 p.m. Public Testimony	Inglis Community Center 10 Highway 40 West Inglis, FL 34449
3/9/09 – 3/13/09	Week Three – Plant	Inglis Community Center 10 Highway 40 West Inglis, FL 34449
3/16/09 – 3/20/09	Week Four – Citrus 1 & 2, Crystal River, Crystal River East 1 & 2, Levy North & South Transmission Lines March 18, 2009, 3:00 p.m. Public Testimony	Inglis Community Center 10 Highway 40 West Inglis, FL 34449 Crystal River Auditorium Guest Annex 6503 W. Venable St Crystal River, FL 34428
3/23/09 – 3/27/09	Week Five – PEF Transmission Line March 24, 2009, 3:00 p.m. Public Testimony	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429 Bertram Inn 1010 N. Barrow Center Dr Inverness, FL 34450
3/30/09 – 4/3/09	Week Six – Brookridge West and Brookridge Transmission Lines March 31, 2009, 3:00 p.m. Public Testimony	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429 Brookridge Elks Lodge 14006 Cortez Blvd. Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line April 7, 2009, 3:00 p.m. Public Testimony	Crystal River Inn and Suites 1617 N. Suncoast Blvd. Crystal River, FL 34429 Fort Cooper State Park 3100 Cooper Park Road The Villages, FL 32162
4/13/09 – 4/17/09	Week Eight – Wrap Up and Deliberation – if needed	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429

5. This hearing is being held in order to give notice and solicit comments on the effects of the proposed electrical power plant and associated facilities on one or more matters appropriate for the consideration of the Project. In making this determination, the Administrative Law Judge, and ultimately the Governor and Cabinet, shall consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and transmission line complies will:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonprocedural requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Make the electrical energy needs of the state in an orderly, reliable and timely fashion;

(e) Effect a reasonable balance between the need for the facility and the impacts upon air and water quality, fish and wildlife, scenic resources, and other environmental and the costs resulting from the construction and operation of the facility;

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and waters of the state and the overall public interest and their aesthetic life; and

(g) Serve and protect the broad interests of the public.

6. The Public Service Commission has previously determined the need for the Project as a separate hearing and need will not be an issue at the hearing. Consideration of individual power property rights and equitable compensation for condemnation proceedings which may be necessary to obtain access and use of the right of way which are not be heard at this hearing. All these comments may be sent to the Administrative Law Judge at the address provided below, or to the Governor and Cabinet.

7. Since agencies have been given notice of this hearing, the opportunity and supporting documents and evidence for consideration have been distributed and interested individuals review the application and filing matters of concern to the appropriate agency(s) whenever as soon as possible. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, where copies information is located below.

8. The application for certification is available for public inspection during normal business hours at the following locations:

- Florida Dept. of Environmental Protection
  Office of Siting Coordination
  Michael P. Gallo
  Siting Coordination Staff
  Tallahassee, Florida 32399-2400
  (850) 245-2200
  http://www.dep.state.fl.us/siting/applications_in_process.htm
- Florida Dept. of Environmental Protection Southwest District Office
  Attention: Deborah Cassell
  13051 N. Telecom Parkway
  Tampa, Florida 33637-0926
  (813) 632-7600
- Progress Energy Florida
  299 First Avenue N., JB1 803
  St. Petersburg, Florida 33701
  Available during business hours
  Call 1-800-640-0314 for appointment
- Citrus Public Library
  (Crystal River)
  668 N. Suncoast Drive E.
  Citrus, FL 34637
- St. Petersburg Main Library
  2144 Central Ave. North
  St. Petersburg, FL 33713
- Hillsborough County Public Library
  900 N. Ashley Street
  Tampa, FL 33602
- Lakeland Public Library
  (Polk County)
  100 Lake Mirror Drive
  Lakeland, FL 33801

9. FDEP is preparing a written Staff Analysis Report, including proposed conditions of certification, for the Project. That Staff Analysis Report will be available on or about January 12, 2009, at the FDEP offices listed above. Copies of the Staff Analysis Report may be obtained by contacting Michael P. Gallo of FDEP's Office of Siting Coordination.

10. (a) Any person wishing to participate in the proceedings, either as a party or without party status, must follow similar Section 403.508(5) and (6), F.S.

(b) Upon the filing with the Administrative Law Judge (ALJ) of a notice of intent to be a party no later than 30 days after the Application is filed, the following shall also be parties to the proceeding:

1. Any agency not listed in Section 403.508(4)(a), Florida Statutes, as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other ecological values; to preserve historical sites; to promote consumer interests; or to represent labor interests, or industrial groups or business or professional groups in matters of planning or orderly development of the area in which the proposed electrical power plant is to be located.

(c) Other parties may include any person, including those persons enumerated in paragraph (b)(2) who have failed to timely file a notice of intent to be a party, if substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S. and applicable administrative rules. Intervention pursuant to this paragraph may be granted upon motion to the Administrative ALJ and same such continues to be may grant as late entry prior to 30 days before the commencement of the certification hearing on February 23, 2009.

11. Any notice of intent to be a party, motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
The Reform Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following information: (a) the name of the proceeding, Case No. PA08-51 (DOAH Case No. 08-0672 (DOAH); (b) the name, address and telephone number of the person filing the motion; and allegations sufficient to demonstrate that the person is entitled to participate in the hearing. The motion of other material information or other pleading shall be served on the parties listed in paragraph (a) above. (c) Any motion may be observed from FDEP's Office of Siting Coordination at the address and phone number above. Those wishing to intervene in these proceedings, whether as a party or as a person who may be recognized 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.

12. When appropriate, any person may be given an opportunity to present oral or written communications to the designated ALJ. If the ALJ proposes to consider such communications, all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

13. Each party shall make available for public inspection at least 5 days prior to the hearing, at the address listed above any written direct statements which that party intends to submit at the hearing.

14. Pursuant to Section 403.508(6), F.S., the certification hearing may be bifurcated. If, within 20 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be addressed, and the FDEP or the applicant requests that the ALJ cancel the certification hearing, if the ALJ grants the request, the FDEP shall prepare and issue a final order as required by and in accordance with Section 403.509(1)(a), F.S.

15. Certification of this power plant would allow construction and operation of a new source of air pollution which would consume an increment of air quality resources.

16. FDEP's review has separately reviewed an assessment of the prevention of significant deterioration (PSD) of air quality and the Environmental Protection Agency (EPA) Administrator (EAC) is anticipated to transmit the analysis of air pollution from this source. The certification hearing may be consolidated with any proceeding relating to the FDEP's preliminary determination for granting a federally mandated new source review, PSD, or Air Construction Permit.

17. The certification hearing may include consideration of a federally required Water Discharge Permit (pursuant to Section 403.508, F.S.).

18. Pursuant to Section 403.509(6), F.S., PEF intends to use, connect to, or cross over properties or portions of the following agencies: Board of Trustees of the Internal Improvement Trust Fund; Florida Department of Environmental Protection; Florida Department of Agriculture; Florida Fish and Wildlife Conservation Commission; Southwest Florida Water Management District; counties of Levy, Citrus, Pinellas, Polk, Hillsborough, Marion, Sumter, and Hernando.

19. While an associated facility corridor of up to one mile in width may be certified, the actual right of way required will be within a final right of way no greater than 250 feet in width unless that provided.

20. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as amended in 15 CFR Part 930. Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Sam Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 2600 Commonwealth Blvd., M.S. 47, Douglas Building, Tallahassee, Florida 32399-3000.

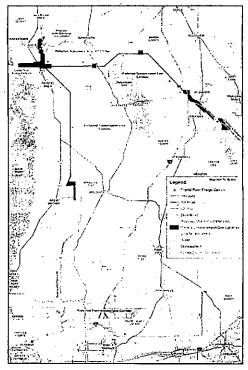
21. This notice is in lieu of other notices, including those relating to variances, changes in zoning ordinances and local governments' plans, or any other non-federal government license or permit.

22. A formal condition of the certification, if granted, may provide for the submission of additional information necessary for agencies to monitor the effects arising from the location or proposed line corridors and the construction and construction of the transmission facilities, and to determine the adequacy of mitigation measures and compliance with the agency review standards and standards, particularly with regards to designing and filing activities, without any further government action. A person whose substantial interests may be affected by such submittal or monitoring may petition to become a party to the proceeding if they desire an administrative determination resolves the petition to be a party to the proceeding. Persons who have previously petitioned to be a party have the opportunity by a timely filing pursuant to Chapter 120, F.S., petition the ALJ for an opinion to become a party within the time frames set forth in this notice continuance is waived to an approval other determination for hearing pursuant to Chapter 120, F.S., and the Act or the preconstruction review and monitoring unless otherwise specified by a term or condition of certification.

Further information about the project is available on the following Web sites:

PEF – progress-energy.com/aboutenergy/generating/levy_florida/index.asp

FDEP – dep.state.fl.us/siting/Highlights/applications/levyfinp.asp_Energy_Levy_County_Nuclear



Progress Energy

AFFIDAVIT OF PUBLICATION

STATE OF Florida)
COUNTY OF Lake)
CITY OF The Villages)

I, Cate Lombardo, being duly sworn on oath now and during all times herein stated, have been an authorized agent of the publication known as,

The Daily Sun ("Publication")

and have full knowledge of the facts herein stated as follows:

The insert for Progress Energy ("Advertiser") with Insertion Order No. 173635 was distributed to the Publication's full circulation on the 12th day of December, 2008

By: Cate Lombardo

Notary Seal:

Notary Public State of Florida
Patricia Marie Goldstherwich
My Commission DD666811
Expires 08/25/2011

Subscribed and sworn to before me this 12 day of December 2008

Patricia Marie Goldstherwich
Notary Public

December 18, 2008

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-01 for certification to authorize construction and operation of a 2,200 megawatt (MW) nominal nuclear electrical generating facility and associated electrical transmission lines and substations, access roads, and water pipelines was filed by Progress Energy Florida (PEF) with the Florida Department of Environmental Protection (FDEP) on June 2, 2008. The Project is known as the Levy Nuclear Project (Project). The Project site is Levy County and the location of the proposed associated transmission lines and other associated facilities are shown on the accompanying map. PEF is seeking certification of the entire Project under the Florida Electrical Power Plant Siting Act (PPSA or Act), Chapter 403, Part II, Florida Statutes (F.S.). The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 08-0372CG-EPP prior to final action by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two electrical generating units and related facilities will be located in Levy County, Florida. The Levy project power plant is comprised of approximately 5,185 acres and has not been previously certified for power generation. The Levy project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification to approve the location of corridors for the construction, operation and maintenance of the following transmission lines:

(a) Levy North Line: a 69 kilovolt (kV) transmission line at the Levy Nuclear Plant site, approximately 275 feet in length;

(b) Levy South Line: a 69 kV transmission line at the Levy Nuclear Plant site, approximately 375 feet in length;

(c) Option 1 & 2 Lines: two 500 kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 7 miles in length;

(d) Sumter Line: a 500 kV transmission line from the Levy Nuclear Plant site to the Central Florida South Substation, approximately 59 miles in length;

(e) Crystal River Line: a 500 kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex switchyard, approximately 14 miles in length;

(f) Crystal River East Line: two 230 kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 2.7 miles in length;

(g) Brookridge Line: a 230 kV transmission line from the Crystal River Energy Complex switchyard to Brookridge West Substation, approximately 2 miles in length;

(h) Brookridge West Line: a 230 kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 2 miles in length; and

(i) PEF Line: a 230 kV transmission line from Polk to Hillsborough to Pinellas counties, approximately 50 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on this application is scheduled to be heard by the DOAH beginning at 9 a.m. on February 23, 2009, or as soon thereafter as can be heard, through April 17, 2009. Specific dates, times, locations, and the subjects to be addressed are listed below. As requested by Hernando, Sumter, Hillsborough, and Levy Counties, local public hearings where members of the public not a party to the certification hearing may testify under oath on relevant facts and subject to cross-examination by all parties will be held at the dates, times, and locations listed below.

DATES	SUBJECTS TO BE ADDRESSED	LOCATION
1/12/09 – 2/12/09	Week One – Plant February 10, 2009, 3-9 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/2/09 – 2/6/09	Week Two – Plant March 3, 2009, 3-9 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/9/09 – 2/13/09	Week Three – Plant	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/16/09 – 2/20/09	Week Four – Citrus 1 & 2, Crystal River, Crystal River East 1 & 2, Levy North & South Transmission Lines March 10, 2009, 3-9 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449 Crystal River National Guard Armory 6501 W. Venable St. Crystal River, FL 34429
2/23/09 – 2/27/09	Week Five – PEF Transmission Line March 24, 2009, 3-9 p.m. Public Testimony	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429 Bertram Center 16160 Sanborn Center Dr. Lutz, FL 33559
3/2/09 – 4/1/09	Week Six – Brookridge West and Brookridge Transmission Lines March 31, 2009, 3-9 p.m. Public Testimony	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429 Brooksville Elks Lodge 14494 Cortez Blvd. Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line April 7, 2009, 3-9 p.m. Public Testimony	Crystal River National Guard Armory 6501 W. Venable St. Crystal River, FL 34429 The Savannah Center 510 Colony Blvd. The Villages, FL 32162
4/13/09 – 4/17/09	Week Eight – Wrap Up and Rebuttal – if needed	Plantation Inn 9301 W. Fort Island Trail Crystal River, FL 34429

5. The hearing is being held in order to take written or oral testimony on the effects of the proposed electrical power plant and associated facilities or any other matter appropriate to the consideration of the Project. In making this determination, the Administrative Law Judge, and ultimately the Governor and Cabinet, shall consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and transmission lines will:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonprocedural requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, reliable, and timely fashion;

(e) Effect a reasonable balance between the need for the facility and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility;

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and its wildlife and the ecology of state waters and their aquatic life; and

(g) Serve and protect the broad interests of the public.

6. The Public Service Commission has previously determined the need for the Project at a separate hearing and need will not be an issue at this hearing. Consideration of individual private property rights and equitable compensation for condemnation proceedings which may be necessary to obtain access and use of the right-of-way will also not be heard at this hearing. Written comments may be sent to the Administrative Law Judge at the address listed in paragraph 11 below, on or before February 12, 2009.

7. 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. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, whose contact information is listed below.

8. The application for certification is available for public inspection during normal business hours at the following locations:

- Florida Dept. of Environmental Protection, Office of Siting Coordination
  Michael P. Halpin
  2600 Commonwealth Blvd.
  Tallahassee, Florida 32399-3000
  (1-850-245-2083)
  dep.state.fl.us/siting/highlights/application_in_process.htm
- Florida Dept. of Environmental Protection Northeast District Office
  Attention: Chris Kirts
  7825 Baymeadows Way
  Jacksonville, FL 32256-7590
  (1-904-807-3300)
- Florida Dept. of Environmental Protection Central District Office
  Attention: Jim Beahler
  3319 Maguire Blvd., Suite 232
  Orlando, FL 32803-3767
  (1-407-894-7555)
- Progress Energy Florida
  559 First Avenue N., PEF-903
  St. Petersburg, FL 33701
  Available during business hours (Call 1-888-843-0014 for appointment)
- Coastal Region Public Library (Citrus County)
  8619 W. Crystal Street
  Crystal River, FL 34428
- Brannen Public Library (Levy County)
  680 Gilbert Street
  Bronson, FL 32621
- Hernando County Public Library (Main Library/Brooksville)
  238 Howell Avenue
  Brooksville, FL 34601
- Marion County Public Library
  2720 E. Silver Springs Blvd.
  Ocala, FL 34470
- Sumter County Library System
  8101 Main Street, Suite 220
  Bushnell, FL 33513
- City of Tarpon (Public Library (Lake County)
  314 N. New Hampshire Avenue
  Tavares, FL 32778
- Progress Energy Florida
  9200 W. Venable Street
  Crystal River, FL 34429
  Available during business hours (Call 1-888-843-0014 for appointment)

9. FDEP is preparing a written Staff Analysis Report, including proposed conditions of certification, for the Project. This Staff Analysis Report will be available on or about January 12, 2009, at the FDEP offices listed above. Copies of the Staff Analysis Report may be obtained by contacting Michael P. Halpin of FDEP's Office of Siting Coordination.

10. (a) Any persons wishing to participate in this proceeding, either as a party or without party status, must follow either Section 403.508(5) or (6)(b), F.S.

(b) Upon the filing with the Administrative Law Judge (ALJ) of a notice of intent to be a party no later than 25 days after the Application is filed, the following shall also be parties to the proceeding:

1. Any agency set forth in Section 403.508(6)(a), Florida Statutes, as to matters within its jurisdiction.

2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or 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 electrical power plant is to be located.

(c) Other parties may include any person, including those persons enumerated in paragraph 10(b), who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable administrative rules. Intervenors pursuant to this paragraph may be granted at the discretion of the designated ALJ and upon such conditions as he may prescribe any time prior to 20 days before the commencement of the certification hearing on February 23, 2009.

11. Any notice of intent to be a party, motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
The Oakland Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number (PA08-01); the DOAH case number (DOAH Case No. 08-0372CG-EPP); the name, address and telephone number of the person filing the motion; and allegations sufficient to demonstrate that the person is entitled to participate in the hearing. The notice of intent, motion to intervene or other pleading must also be sent by mail to the applicant and to all parties. (A list of parties may be obtained from FDEP's Office of Siting Coordination at the address and phone number above.) 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 qualified to appear in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28-106.106, F.A.C.

12. When appropriate, any person may be given an opportunity to present oral or written communications to the designated ALJ. If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

13. Each party shall make available for public inspection at least five days prior to the hearing all Florida listed above any written direct testimony which that party intends to submit at the hearing.

14. Pursuant to Section 403.508(6), F.S., the certification hearing may be consolidated, within 20 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the FDEP or the applicant requests that the ALJ cancel the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.508(3)(a), F.S.

15. Certification of this power plant would allow construction and operation of a new source of air pollution which would consume an increment of air quality resources.

16. PSD's review has separately resulted in an assessment of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emissions of air pollutants from this source. The certification hearing may be consolidated with any proceeding relating to the FDEP's preliminary determination for granting a federally required new source review, PSD, or Air Operation Permit.

17. The certification hearing may include consideration of a federally required Wastewater Permit pursuant to Section 403.508(1), F.S.

18. Pursuant to Section 403.508(1), F.S., PEF intends to use, connect to, or cross over properties owned by the following agencies: Board of Trustees of the Internal Improvement Trust Fund, Florida Department of Environmental Protection, Florida Department of Agriculture, Fish and Wildlife Conservation Commission, Southwest Florida Water Management District, the counties of Levy, Citrus, Pinellas, Polk, Hillsborough, Marion, Sumter, and Hernando.

19. While an associated facility corridor of up to one mile in width may be certified, the directly affected properties will be within a four right-of-way no greater than 200 feet in width within that corridor.

20. This public notice is also provided in compliance with the Federal Coastal Zone Management Act, as specified in 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Lynn Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 47, Douglas Building, Tallahassee, Florida 32399-3000.

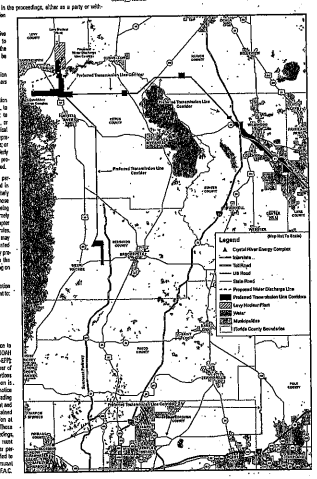
21. This notice is in lieu of other notices, including those relating to ordinances, changes in zoning ordinances and local governments' plans, or any other non-federal government forms or permits.

22. A waiver or condition of the certification, if granted, may provide for the subsequent submittal of information necessary for agencies to monitor the effects arising from the location of transmission line corridors and the construction and maintenance of the transmission lines to ensure continued compliance with state water quality requirements or compliance with other agency non-procedural rules and standards, particularly with regards to dredging and filling activities, without any further government action. A person whose substantial interest may be affected by such subsequent monitoring must petition to become a party to this proceeding. If they desire an administrative determination relative to the monitoring process to that this certification proceeding provides such a person with the opportunity for a hearing as required by Chapter 120, F.S., and the Act. Failure to petition to become a party within the time frames set forth in this notice constitutes a waiver to an administrative determination for hearing pursuant to Chapter 120, F.S., and the Act on the postcertification review and monitoring unless otherwise specified by a term or condition of certification.

Further information about this project is available on the following Web sites:

PEF – progress-energy.com/aboutus/energyexplorer/nuclear_florida/levy/levy.asp

FDEP – dep.state.fl.us/siting/highlights/applications.htm#Progress_Energy_Levy_County_Nuclear



Progress Energy

LEVY COUNTY JOURNAL
PUBLISHED WEEKLY
BRONSON, LEVY COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF LEVY:

Before the undersigned authority personally appeared Rick Burnham, who on oath says he is Editor of the LEVY COUNTY JOURNAL, a newspaper published at Bronson, Levy County, Florida; that the attached copy of advertisement,

being a Notice of Certification Hearing

in the matter of Application to Construct and Operate an a

site to be located in Levy County, Florida

was published in the said newspaper in the issues of:

December 18, 2008

Affiant further says that the said LEVY COUNTY JOURNAL is a newspaper published at Bronson, in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in said Levy County, Florida, each week and has been entered as second class mail matter at the post office in Bronson, in said Levy 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.

Editor

Sworn to and subscribed before me, and is personally known to me, appeared Rick Burnham, who did take an oath, this

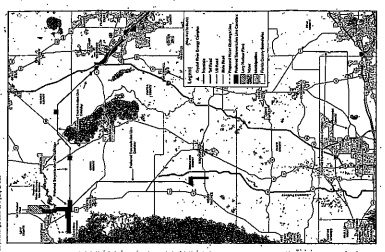
18th day of December, A.D., 2008.

Signature, Notary Public

My commission expires: (SEAL)

ROBIN HEATH
MY COMMISSION # DD402908
EXPIRES: March 06, 2009
1-800-3-NOTARY FL Notary Discount Assoc. Co.

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT



Progress Energy

Printed Copy no. FR-NOLF

Orlando Sentinel
communications
633 North Orange Avenue • Orlando, Florida 32801
Mike Eri, General Advertising Account Executive
Ph. (407) 420-5357 • Fax (407) 420-5768
meri@orlandosentinel.com

January 5, 2009

Rachel Heckner
Progress Energy
410 S. Wilmington St.
PEB 14A
Raleigh, NC 27601

Dear Rachel,

This letter is to confirm that Progress Energy placed a legal ad within the Orlando Sentinel on the following date:

Date	AD Size	Section	Page #	Cost
12-18-08	Full Page	Lake County	5	$5,166

Sincerely,

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

The foregoing instrument was acknowledged before me this 5th day of January, 2009, by Mike Eri, who is personally known to me.

Nancy A. Puglia
NOTARY

STATE OF FLORIDA
COUNTY OF ORANGE

NANCY A. PUGLIA
MY COMMISSION # DD 678873
EXPIRES: June 11, 2011
Bonded Thru Notary Public Underwriters

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to authorize construction and operation of a 1,250-megawatt (MW) nominal nuclear steam fuel generating facility, and associated electrical transmission lines and substations, access roads, and water pipelines (the "Project") was filed with the Florida Department of Environmental Protection (FDEP) on June 2, 2008. The Project is known as the Levy Nuclear Project (Project). The Project site is Levy County and the location of the proposed associated transmission lines and other associated facilities are shown on the accompanying map. FDEP is the lead agency for review of the entire Project under the Florida Electrical Power Plant Siting Act (PPSA) and has assigned the Project DOAH Case No. 08-0672EPP. Jurisdiction over the Project is vested in the Florida Division of Administrative Hearings (DOAH). Case No. 08-0672EPP is set for final action by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's nuclear power plant facility and related facilities are to be located in Levy County, Florida. The Levy project power plant is composed of approximately 2,105 acres and has not been previously certified for power generation. The Levy project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the community Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification to approve the location of corridors for the construction, operation and maintenance of the following related linear facilities:

(a) Levy North Site - a 69-kV double circuit transmission line to the Levy Nuclear Plant site, approximately 275 feet in length;

(b) Levy South Site - a 69-kV transmission line at the Levy Nuclear Plant site, approximately 275 feet in length;

(c) Citrus 1 & 2 Lines - two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 2 miles in length;

(d) Sumter Line - a 500-kV transmission line from the Levy Nuclear Plant site to the Central Florida South Substation, approximately 58 miles in length;

(e) Crystal River Line - a 230-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex (complex), approximately 14 miles in length;

(f) Crystal River Expansion - two 230-kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 2 miles in length;

(g) Brookridge Line - a 230-kV transmission line from the Crystal River Energy Complex-expansion to Brookridge West Substation, approximately 23 miles in length;

(h) Brookridge West Line - a 230-kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 3 miles in length; and

(i) Hill Line - a 230-kV transmission line from Polk County to Hillsborough County, approximately 50 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on the application is scheduled to be held by the DOAH beginning at 9 a.m. on February 23, 2009, or in case the hearing can not be heard, through April 17, 2009. Such hearing dates, times, and locations are subject to change by the Administrative Law Judge assigned to the case. Pursuant to Section 403.508(5), F.S., persons not parties to the proceeding or their representatives may testify under oath at the certification hearing and subject to cross-examination on all issues, with the exception of the dates, times, and locations listed below:

DATES	DUE DATE TO BE ADDRESSED	LOCATION
12/15/08 – 12/31/08	Week Five – Plant Analysis (Feb. 20, 2009, 3:0 p.m. Public Testimony)	Inglis Community Center 120 Highway 40 West Inglis, FL 34449
1/5/09 – 1/9/09	Week Six – Plant Analysis (March 2, 2009, 3:0 p.m. Public Testimony)	Inglis Community Center 120 Highway 40 West Inglis, FL 34449
1/12/09 – 1/16/09	Week Three – Plant	Inglis Community Center 120 Highway 40 West Inglis, FL 34449
1/19/09 – 1/23/09	Week Four – Plant	Inglis Community Center 120 Highway 40 West Inglis, FL 34449
1/26/09 – 1/30/09	Week Four – Citrus 1 & 2, Crystal River, Sumter East 1 & 2, Levy North & South Transmission Lines	Crystal River National Guard Armory 8550 W Venable St Crystal River, FL 34429
	March 16, 2009, 3:0 p.m. Public Testimony	Crystal River National Guard Armory 8550 W Venable St Crystal River, FL 34429
2/2/09 – 2/07/09	Week Five – Plant Transmission Line	Plantation Inn 5820 W Fort Island Trail Crystal River, FL 34429
	March 24, 2009, 3:0 p.m. Public Testimony	Bethany Church 10150 Bethany Church Dr Lutz, FL 33558
2/09/09 – 4/09/09	Week Six – Brookridge West and Brookridge Transmission Lines	Plantation Inn 5820 W Fort Island Trail Crystal River, FL 34429
	March 31, 2009, 3:0 p.m. Public Testimony	Brooksville City Lodge 16456 Cortez Blvd Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line	Crystal River National Guard Armory 8550 W Venable St Crystal River, FL 34429
	April 7, 2009, 3:0 p.m. Public Testimony	The Sacramento Center 1500 Citrus Ridge 70 Winter Haven, FL 33880
4/13/09 – 4/17/09	Week Eight – Wrap Up and Rebuttal – if needed	Inglis VFW Parkland Trail Crystal River, FL 34429

5. The hearing is being held in order to take written or oral testimony on the merits of the application, including the proposed site certification, the proposed conditions of certification, and the recommendation of the Project, by hearing the recommendations, the Administrative Law Judge, and ultimately the Governor and Cabinet, shall consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and transmission lines complies with:

(a) Florida electrical power plant siting and related facilities are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonpreemptive requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, reliable, and safety manner;

(e) Effect a reasonable balance between the need for the facility and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility;

(f) Minimize, through the use of mitigation and avoidance measures, the adverse effects on human health, the environment, and the ecology of the land and its wildlife and the ecology of state waters and their aquatic life; and

(g) Serve and protect the broad interests of the public.

6. The Public Service Commission has previously determined the need for the Project at a balance hearing and need will not be an issue at this hearing. Condemnation of real and personal property rights and equitable compensation for condemnation proceedings which may be necessary condemn assets and use of the right-of-way will also not be heard at this hearing. Written comments may be sent to the Administrative Law Judge at the address listed in paragraph 11 below, since hearing is scheduled.

7. State agencies and local government have 60 days to complete the application and prepare a report and recommendation for the certification hearing. It is recommended that interested individuals review the application and its supplements or comments the applicant and agency reviewers as soon as possible. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, whose contact information is listed below.

8. The application for certification is available for public inspection during regular business hours at the following locations:

- Florida Dept. of Environmental Protection, Office of Siting Coordination
  Michael P. Gedger
  2600 Commonwealth Blvd.
  Tallahassee, FL 32399-3000
  (850) 245-2069
  (Available for viewing/reading application, no possession)
- Florida Dept. of Environmental Protection Northeast District Office
  Attention: Chris Kirts
  7825 Baymeadows Way
  Jacksonville, FL 32256-7590
  (904) 807-3300
- Florida Dept. of Environmental Protection Central District Office
  Attention: John Bunyak
  3319 Maguire Blvd., Suite 232
  Orlando, FL 32803-3767
  (407) 894-7555
- Progress Energy Florida
  299 First Avenue N., PEF 903
  St. Petersburg, FL 33701
  Available during regular business hours (Call 1-888-843-3234 for appointment)
- Coastal Region Public Library Citrus County
  8619 W. Crystal Street
  Crystal River, FL 34429
- Brannon Public Library Marion County
  698 S. Court Street
  Marion, FL 32351
- Hernando County Public Library (Brian Linsey Brooksville)
  238 Howell Street
  Brooksville, FL 34601
- Marion County Public Library
  2720 E. Silver Springs Blvd.
  Ocala, FL 34470
- Sumter County Library System
  346 N. Main Street, Suite 200
  Bushnell, FL 33513
- City of Tavares Public Library (Lake County)
  314 N. Sinclair Avenue
  Tavares, FL 32778
- Progress Energy Florida
  6228 W. Yankee Street
  Crystal River, FL 34429
  (Available during regular business hours (Call 1-888-843-3234 for appointment)

9. FDEP and Progress Energy Staff Analysis Report, including proposed conditions of certification, and the Progress Energy Staff Analysis Report will be available on or about January 12, 2009, at the FDEP offices listed above. Copies of the Staff Analysis Report may be obtained by contacting Michael P. Gedger, Office of Siting Coordination.

10. Any person wishing to participate in the proceedings, either as a party or without party status, must follow either Section 403.508(3)(a) or (b):

(a) Submit a filing with the Administrative Law Judge. Much of a petition or request to be a party no later than 75 days after the Application is filed, the following shall include petitions to be present:

- Any agency not listed in Section 403.508(1)(a) of the Statutes, to be treated another as an agency.
- Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation in natural beauty, to protect the environment, personal health, or other ecological values, to preserve historical sites, to promote consumer interests, to represent a particular interest or interest of persons or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.

(b) Other persons may include (no person, including those persons enumerated in paragraph 10(a), who have failed to obtain the status of party or party to be a party, shall be allowed to testify under oath and being examined by the proceeding and who provide this a request to intervene pursuant to Chapter 120, F.S., and applicable administrative rules. Intervention pursuant to this paragraph may be granted at any time before the hearing. Any person seeking intervention at the time provided any time prior to 30 days before the commencement of the certification hearing on February 23, 2009.

11. Any request or petition to be a party, motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
The O-Gram Center
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number PA08-51 the DOAH case number 08-0672EPP; Case No. 08-0672EPP; the name, address and telephone number of the person filing the motion, and allegations sufficient to demonstrate that the petitioner is entitled to intervention. The notice of intervention, motion to intervene or other pleading must state to such to meet the applicant and to intervene. Any of such motion may be obtained from FDEP's Office of Siting Coordination, or from the Administrative Law Judge. Persons wishing to intervene or other pleadings which following on their own behalf, must be represented by an attorney or other person who can be determined to be qualified to assist in serving in a proceeding which is governed by Chapter 120, F.S., or F.A.C. 28-106, F.A.C.

12. When appropriate, any person may be given an opportunity to present oral or written communications to the Hearing Judge. If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

13. Participants must make available for public inspection at least five days prior to the hearing, at the Hearing Venue, copies any written or oral statements which that party intends to submit at the hearing.

14. Pursuant to Section 403.508(6), F.S., document hearing may be conducted with written or oral testimony. Persons who wish to testify, or petition to be a party, if petition to be a party, or if they have a direct interest in the proposed project, or have a substantial interest in the proceeding, or have a direct interest in the proposed project, or have a substantial interest in the proceeding, or have a direct interest in the proceeding, or have a substantial interest in the proceeding, or have a direct interest in the proceeding, or have a substantial interest in the proceeding, or have a direct interest in the proceeding

NO: GF05195275
Acct # 616228
PROGRESS ENERGY

THE GAINESVILLE SUN

Published Daily and Sunday
GAINESVILLE, FLORIDA
STATE OF FLORIDA

Before the undersigned authority appeared: Vonda Jackson.
Who on oath says that she is Retail Advertising Executive of THE GAINESVILLE SUN, a daily newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being

NOTICE OF CERTIFICATION HEARING

In the matter of Notice of Certification Hearing was published in said newspaper in the issues of December 18, 2008.

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.

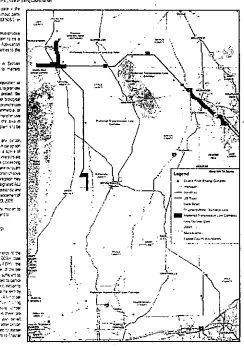
Sworn to and subscribed before me this
6 day of Jan A.D., 2009

Vonda Jackson

Cecile S. Feagle
(seal) Notary Public

CECILE S. FEAGLE
MY COMMISSION # DD869978
EXPIRES August 05, 2011
(407) 398-0153 FloridaNotaryService.com

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT



Progress Energy

Proof of Publication

From the

CITRUS COUNTY CHRONICLE

Crystal River, Citrus County, Florida

PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS
Before the undersigned authority personally appeared

Alan Place

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

Insertion Order: 775332
Legal number:
Description: Notice of Certification Hearing on an application to construct and operate an Electrical Power Plant on a site to be located in Levy, Citrus, Marion, Sumter, Lake

Display Advertisement: to run 1 time

Court, was published in said newspaper in the issue of
Date of publication: December 18, 2008

Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus 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/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.

The forgoing instrument was acknowledged before me

This 1/5/09

By: Alan Place

who is personally known to me and who did take an oath.

Nancy A. Parke
Notary Public

NANCY A. PARKE
Comm# DD0696633
Expires 8/24/2011
Florida Notary Assn., Inc

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to authorize construction and operation of a 2,200 megawatt (MW) nominal nuclear electrical generating facility and associated facilities, collectively the "Project" or "Levy Project", on the properties more fully described in the Proposed Order, was filed with the Florida Department of Environmental Protection (DEP) on June 2, 2008. The Project is known as the Levy Nuclear Project Project. The Project site is Levy County and the location of the proposed associated transmission lines and other associated facilities are shown on the accompanying map. PEF is seeking certification under the Florida Electrical Power Plant Siting Act ("PPSA"), Section 403.501 et seq., Part III, Chapter 403, Fla. Stat. (Part III). The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 08-0327EPP (DEP or the Agency) and the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two electrical generating units and related facilities will be located in Levy County, Florida. The Levy project power plant is comprised of approximately 3,105 acres and has not been previously certified for power generation. The Levy project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application seeks certification to approve the location of and intent for the construction, operation and maintenance of the following transmission lines:

(a) Levy North Line: a 66-kilovolt (kV) transmission line at the Levy Nuclear Plant site, approximately 3.75 feet in length;

(b) Levy South Line: a 66-kV transmission line at the Levy Nuclear Plant site, approximately 3.75 feet in length;

(c) Central 230 Line: two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 7 miles in length;

(d) Sumter Line: a 230-kV transmission line from the Levy Nuclear Plant site to the Central Florida South Substation, approximately 50 miles in length;

(e) Crystal River Line: a 230-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex switchyard, approximately 24 miles in length;

(f) Crystal River East Line: two 230-kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 2.7 miles in length;

(g) Brookridge Line: a 230-kV transmission line from the Crystal River Energy Complex switchyard to Brookridge West Substation, approximately 3 miles in length;

(h) Brooksville West Line: a 230-kV transmission line from the Brooksville Substation to the Brooksville West Substation, approximately 2 miles in length; and

(i) Pall Line: a 230-kV transmission line from Polk to Hillsborough to Pinellas counties, approximately 50 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on the application will be held beginning the 20th day beginning the day on or after February 20, 2009, or as soon thereafter as can be heard, through April 17, 2009. Specific dates, times, locations, and the subjects to be addressed at the hearing will be noticed by the Administrative Law Judge (ALJ) assigned to the Case. Local public hearings where members of the public can speak to the certification hearing may be held by video such as to inherent facts and subject to cross-examination by persons who will be held at the dates, times, and locations noted below:

DATES	SUBJECTS TO BE ADDRESSED	LOCATION
2/23/09 – 2/27/09	Week One – Plant February 26, 2009, 34 p.m. Public Testimony	Inglis Community Center 122 Highway 40 West Inglis, FL 34449
3/2/09 – 3/5/09	Week Two – Plant March 3, 2009, 34 p.m. Public Testimony	Inglis Community Center 122 Highway 40 West Inglis, FL 34449
3/9/09 – 3/13/09	Week Three – Plant	Inglis Community Center 122 Highway 40 West Inglis, FL 34449
3/16/09 – 3/20/09	Week Four – Citrus 1 & 2, Crystal River, Crystal River East 1 & 2 Levy North & South Transmission Lines March 18, 2009, 34 p.m. Public Testimony	Inglis Community Center 122 Highway 40 West Inglis, FL 34449 Coastal River National Guard Armory 8551 W Venable St. Crystal River, FL 34429
3/23/09 – 3/27/09	Week Five – PNP Transmission Line March 24, 2009, 34 p.m. Public Testimony	Association Inc 8301 W. Fort Island Trail Crystal River, FL 34429 Bethany Center 10100 Bethany Center Dr. Lady, FL 32563
3/30/09 – 4/3/09	Week Six – Brooksville West and Brooksville Transmission Lines March 31, 2009, 34 p.m. Public Testimony	Plantation Inc 8301 W. Fort Island Trail Crystal River, FL 34429 Brooksville Elks Lodge 14140 Cortez Blvd. Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line April 7, 2009, 34 p.m. Public Testimony	Crystal River National Guard Armory 8551 W. Venable St. Crystal River, FL 34429 The Sovereign Center 500 Century Blvd The Villages, FL 32162
4/13/09 – 4/17/09	Week Eight – Wrap Up and Rebuttal – if needed	Plantation Inc 8301 W. Fort Island Trail Crystal River, FL 34429

5. The hearing is being held in order to take testimony on the effects of the proposed electrical power plant and associated facilities or any other matter appropriate to the consideration of the Project. In making this determination, the Administrative Law Judge, and alternately the Governor and Cabinet, shall consider whether, and to extent it deems appropriate, the construction and operation of the electrical power plant and transmission lines will be reasonable:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonprocedural requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, timely, and timely fashion;

(e) Effect a reasonable balance between the need for the facility and the impact upon air and water quality, fish and wildlife, wildlife resources, and other natural resources of the state resulting from the construction and operation of the facility;

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and its water and the minimizing of state owned and free aquatic life; and

(g) Serve and protect the broad interests of the public

6. The Public Service Commission has previously determined the need for the Project at a separate hearing and need, without be an issue at the hearing. Consideration of individual private property rights and equitable compensation for condemnation proceedings which may be necessary to obtain access and use of the right of way which does not impact on the hearing. Written comments may be sent to the Administrative Law Judge at the address listed in paragraph 11 below, on or before February 23, 2009.

7. Some agencies and local governments will be reviewing the application and preparing recommendations and reports. Some agencies and local governments may prepare recommendations and reports for the application and bring them to the attention of concern to the appropriate agency, counsel as soon as possible. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, whose contact information is listed below.

8. The application for certification is available for public inspection during normal business hours at the following locations:

- Florida Dept. of Environmental Protection, Office of Siting Coordination
  Michael P. Halpin
  3900 Commonwealth Blvd.
  Tallahassee, Florida 32399-3000
  (850)245-2002
  (ftp://ftp.dep.state.fl.us/pub/siting/Application_in_process/)
- Florida Dept. of Environmental Protection Northeast District Office
  Appleton, Chris Kirk
  7825 Baymeadows Way
  Jacksonville, FL 32256-7590
  (1-904-807-3300)
- Florida Dept. of Environmental Protection Central District Office
  Appleton, Jim Brahm
  3319 Maguire Blvd., Suite 232
  Orlando, FL 32803-3767
  (1-407-894-7555)
- Progress Energy Florida
  299 First Avenue N. 752-302
  St. Petersburg, FL 33701
  Available during business hours (Call 1-888-540-0214 for appointment)
- Coastal Region Public Library (Citrus County)
  801 SW Crystal Street
  Crystal River, FL 34429
- Beverly Public Library (Levy County)
  660 Gilbert Street
  Bronson, FL 32621
- Hernando County Public Library (Marchbanks/Brooksville)
  238 Howell Avenue
  Brooksville, FL 34601
- Marion County Public Library
  2720 E. Silver Springs Blvd.
  Ocala, FL 34470
- Sumter County Library System
   1010 N. Main Street, Suite 225
  Bushnell, FL 33513
- City of Tarpon Public Library (Lake County)
  1210 W. New Hampshire Avenue
  Tarpon, FL 32778
- Progress Energy Florida
  3201 W. Venable Street
  Crystal River, FL 34429
  Available during business hours (Call 1-888-540-0214 for appointment)

9. FDEP is preparing a written Staff Analysis Report, including proposed conditions of certification, for the Project. That Staff Analysis Report will be available on or about January 12, 2009, at the FDEP offices listed above. Copies of the Staff Analysis Report may be obtained by contacting Michael P. Halpin of FDEP's Office of Siting Coordination.

10. (a) Any person wishing to participate in the proceedings, either as a party or with not party status, must follow either Section 403.508(3) or 120.569, F.S.

(b) Upon filing with the Administrative Law Judge (ALJ) of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be provided to the parties:

(1) Any person's full legal name;

(2) Statutory Provisions Section 403.508(3)(a), Florida Statutes, as to matters within its jurisdiction.

(3) Any demand or request for a conference or evidentiary hearing, in whole or in part, to provide information or notice relative to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests, to represent the consumer, or industrial groups or organizations or other persons who may be affected by the construction and operation of the proposed electrical power plant or to be harmed.

(c) Other persons may include any persons, including those persons enumerated in paragraph 10(a), who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a petition to intervene pursuant to Chapter 120, F.S., and the rules of procedure of the administration pursuant to this paragraph may be granted at the time stated at the designated ALJ and upon such conditions as the ALJ deems are time prior to 30 days before the hearing on the merits of the certification hearing on February 23, 2009.

(d) Any notice of intent to be a party motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
Attn: Clerk of DOAH
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number PA08-51, the DOAH case number (DOAH Case No. 08-0327EPP), the name, address and telephone number of the person filing the motion; and allegations sufficient to demonstrate that the person is entitled to intervention. A copy of the notice of intent, motion to intervene, or other pleading must also be sent to: the applicant and to all parties. (d) (e) (f) parties may be obtained from FDEP's Office of Siting Coordination at the address and phone number above. Pleadings, motions, and other filings must be signed by the applicant or their own behalf. Must be represented by an attorney or other person who can be determined to be qualified to assist in administrative proceedings pursuant to Chapter 120, F.S., or Rule 28-106.106, F.A.C.

11. When appropriate, any person may be given an opportunity to present oral or written communications to the designated ALJ. If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

12. Each party shall make available for public inspection at least five days prior to the hearing, at the Witness Table shown above, any written direct testimony which that party intends to submit at the hearing.

13. Pursuant to Section 403.508(6), F.S., the certification hearing may be conducted, if within 20 days of the certification hearing, all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised, and the FDEP or the applicant requests that the ALJ cancel the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.508(3)(a), F.S.

14. Certification of this power plant would allow construction and operation of a new source of air pollution which would consume or increase PSD or air quality resources.

15. FDEP's review has separately resulted in an assessment of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emission of air pollutants from the plants. The certification hearing will include consideration of a federally required Prevention of Significant Deterioration permit for greenhouse gas emissions, PSD, or Air Operation Permit.

17. The certification hearing may include consideration of a federally required Prevention Permit pursuant to Section 403.508, F.S.

18. Pursuant to Section 403.508(3), F.S., PEF intends to use, connect to, or cross over properties or works of the following agencies: Board of Trustees of the Internal Improvement Trust Fund, Florida Department of Environmental Protection, Florida Department of Agriculture, Marine Fish and Wildlife Conservation Commission, Southwest Florida Water Management District, the counties of Levy, Citrus, Pinellas, Polk, Hillsborough, Marion, Sumter, and Hernando.

19. While an associated facility corridor of up to one mile in width may be certified, the exact, affected properties will be within a that right of way to greater than 750 feet in width within that corridor.

20. This public notice is also provided in compliance with the federal Coastal Zone Management Act, as specified in 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Lynn Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 47, Douglas Building, Tallahassee, Florida 32399-3000.

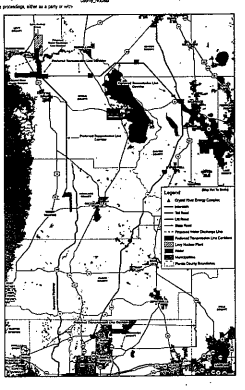
21. This notice is in lieu of other notices, including those required by existence, changes in ownership, or other federal, and local government plans, or any other non-federal governmental or agency plans.

22. A copy or conditions of the certification, if granted, may provide for the subsequent submittal of information necessary for approval to monitor the effects arising from construction or transmission line corridors and the construction and maintenance of the transmission lines to ensure continued compliance with state water quality requirements or compliance with other agency non procedural rules and standards, pertinent to with regards to dredging and filling activities, without any further governmental action. In certain cases, subsequent changes may be authorized by such administrative or ministerial such petition or decision. Certain conditions may be required to be complied with prior to the commencement of certain activities such as the requirement for a post-certification monitoring program to ensure that the certification proceeding provides such a process with the opportunity for a hearing as required by Chapter 120, F.S., and the Act. Failure to petition or become a party before the time frames set forth in this notice constitutes a waiver to an administrative determination or hearing pursuant to Chapter 120, F.S., and the Act on the post-certification review and monitoring unless otherwise specified by a term or condition of certification.

Further information about this project is available on the following Web sites:

PEF – progress-energy.com/aboutenergy/poweringhistory/florida/levy/index.asp

DEP – ftp://ftp.dep.state.fl.us/pub/siting/Application_in_process/Progress_Energy_Levy_County_Nuclear



Progress Energy

2008 Progress Energy, Inc. 07-1561 08/11

Proof of Publication

from the

SUMTER COUNTY TIMES

Bushnell, Sumter County, Florida

PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF SUMTER
Before the undersigned authority personally appeared

Alan Place

Of the Sumter County Times, a newspaper published weekly at Bushnell, in Sumter County, Florida, that the attached copy of advertisement being a public notice in the matter of the

Insertion Order: 775333
Legal number:
Description:Notice of Certification Hearing on an Application to Construct and Operate an Electrical Power Plant on a site to be located in Levy County, FL

Display Advertisement: to run 1 times

Court, was published in said newspaper in the issue of
Date of publication: December 18, 2008.

Affiant further says that the Sumter County Times is a Newspaper published at Bushnell in Sumter County, Florida, and that the said newspaper has heretofore been continuously published in Sumter County, Florida, each week and has been entered as second class mail matter at the post office in Bushnell in said Sumter 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/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.

The forgoing instrument was acknowledged before me

This 1/5/09

By: Alan Place

who is personally known to me and who did take an oath.

Notary Public

NANCY A. PARKE
Comm# DD0698633
Expires 8/24/2011
Florida Notary Assn., Inc

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to authorize construction and operation of a 1,220-megawatt (MW) nominal nuclear electrical generating facility and associated electrical transmission lines and substations, access roads, and water pipelines was filed by Progress Energy Florida (PEF) with the Florida Department of Environmental Protection (FDEP) on June 2, 2008. The Project is known as the Levy Nuclear Project (Project). The Project site is in Levy County and the location of the proposed electrical transmission lines and associated facilities is in Levy, Citrus, Marion, Sumter, Lake, Hernando, Pinellas, Hillsborough and Polk Counties. The Project is being reviewed under the Florida Electrical Power Plant Siting Act (PPSA or Act), Chapter 403, Part II, Florida Statutes (F.S.). The review is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 08-0372-EPP prior to final action by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two nuclear generating units and related facilities will be located in Levy County, Florida. The Levy project power plant is comprised of approximately 3,105 acres and has two lower pulverulent certified for power generation. The Levy project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification to approve the location of corridors for the construction, operation and maintenance of the following transmission lines:

(a) Levy North Line: a 69-kilovolt (kV) transmission line at the Levy Nuclear Plant site, approximately 270 feet in length;

(b) Levy South Line: a 69-kV transmission line at the Levy Nuclear Plant site, approximately 270 feet in length;

(c) Citrus 1 & 2 Lines: two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 2 miles in length;

(d) Sumter Line: a 500-kV transmission line from the Levy Nuclear Plant site to the Central Florida Sub Substation, approximately 55 miles in length;

(e) Crystal River Line: a 500-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex northeast, approximately 14 miles in length;

(f) Crystal River East Line: two 230-kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 2.7 miles in length;

(g) Brookridge Line: a 230-kV transmission line from the Crystal River Energy Complex northwest to Brookridge West Substation, approximately 3 miles in length;

(h) Brookridge West Line: a 230-kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 2 miles in length; and

(i) PAP Line: a 230-kV transmission line from Polk or Hillsborough to Pinellas counties, approximately 50 miles in length.

4. Pursuant to Section 403.508, F.S., the certification hearing on this application is scheduled to be heard by the DOAH beginning at 9 a.m. on February 23, 2009, or as soon thereafter as can be heard, through April 17, 2009. Specific dates, times, locations, and the subjects to be addressed are listed below. As requested by Hernando, Sumter, Hillsborough, and Levy Counties, local public hearings where members of the public not a party to the certification hearing may testify under oath as to relevant facts and subject to cross-examination by all parties will be held at the dates, times, and locations listed below:

DATE	SUBJECTS TO BE ADDRESSED	LOCATION
2/23/09 – 2/27/09	Week One – Plant. February 26, 2009, 3-6 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
2/27/09 – 3/6/09	Week Two – Plant. March 2, 2009, 3-6 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
3/6/09 – 3/12/09	Week Three – Plant	Inglis Community Center 137 Highway 40 West Inglis, FL 34449
3/16/09 – 3/20/09	Week Four – Citrus 1 & 2, Crystal River, Crystal River East 1 & 2, Levy North & South Transmission Lines. March 18, 2009, 3-6 p.m. Public Testimony	Inglis Community Center 137 Highway 40 West Inglis, FL 34449. Crystal River National Guard Armory 8222 W. Venable St. Crystal River, FL 34429
3/23/09 – 3/27/09	Week Five – PAP Transmission Line. March 24, 2009, 3-6 p.m. Public Testimony	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429. Bethany Center 18150 Northern Center Dr Lutz, FL 33558
3/30/09 – 4/3/09	Week Six – Brookridge West and Brookridge Transmission Lines. March 31, 2009, 3-6p.m. Public Testimony	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429. Brooksville Elks Lodge 14484 Cortez Blvd. Brooksville, FL 34613
4/6/09 – 4/10/09	Week Seven – Sumter Transmission Line. April 7, 2009, 3-6 p.m. Public Testimony	Crystal River National Guard Armory, 8222 W. Venable St. Crystal River, FL 34429. The Governor Center 1010 N. Main St. Bushnell, FL 33513
4/13/09 – 4/17/09	Week Eight – Wrap-Up and Rebuttal – if needed	Plantation Inn 3301 W. Fort Island Trail Crystal River, FL 34429

5. The hearing is being held in order to hear and receive testimony on the effect of the proposed Project on the public health and welfare and on the factors to be considered in the consideration of the Project. In making this determination, the Administrative Law Judge, and ultimately the Governor and Cabinet, shall consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and transmission lines conform will:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection;

(b) Comply with applicable nonprocedural requirements of agencies;

(c) Be consistent with appropriate local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, reliable, and timely fashion;

(e) Effect a reasonable balance between the need for the facility and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility;

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the natural environment, and the ecology of the land and by wildlife to the extent deemed of state and regional significance; and

(g) Serve and protect the broad interests of the public.

6. The Public Service Commission has previously determined the need for the Project at a separate hearing and need was not an issue at the hearing. Consideration of individual private property rights and adjustable compensation for condemnation proceedings which may be necessary to obtain access and use of the rights-of-way will also not be heard at this hearing. Written comments may be sent to the Administrative Law Judge at the address listed in paragraph 10 below on or before February 23, 2009.

7. State agencies and local governments will be studying the application and presenting 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. For a list of participating agencies, please contact the FDEP Office of Siting Coordination, whose contact information is listed below.

8. The application for certification is available for public inspection during normal business hours at the following locations:

- Florida Dept. of Environmental Protection, Office of Siting Coordination
  Michael P. Halpin
  3900 Commonwealth Blvd.
  Tallahassee, Florida 32399-3000
  (850) 245-2202
  (http://dep.state.fl.us/siting/highlights/applications_for_processing.htm)
- Florida Dept. of Environmental Protection Northeast District Office
  Attention: Chris Kirts
  7825 Baymeadows Way
  Jacksonville, FL 32256-7590
  (904) 807-3300
- Florida Dept. of Environmental Protection Central District Office
  Attention: Jon Brezina
  3319 Maguire Blvd., Suite 232
  Orlando, FL 32803-3767
  (407) 894-7555
- Progress Energy Plaza
  299 First Avenue N., PEC 403
  St. Petersburg, FL 33701
  Available during business hours (Call 1-866-640-0214 for appointment)
- Coastal Region Public Library (Citrus County)
  8619 W. Crystal Street
  Crystal River, FL 34429
- Brooksville Public Library (Levy County)
  820 Howell Street
  Brooksville, FL 34601
- Hernando County Public Library (Main Library Brooksville)
  238 Howell Avenue
  Brooksville, FL 34601
- Marion County Public Library
  2720 E. Silver Springs Blvd.
  Ocala, FL 34470
- Sumter County Library System
  346 N. Main Street, Suite 275
  Bushnell, FL 33513
- City of Tavares Public Library (Lake County)
  314 N. New Hampshire Avenue
  Tavares, FL 32778
- Progress Energy Florida
  8500 W. Venable Street
  Crystal River, FL 34429
  Available during business hours (Call 1-866-640-0214 for appointment)

9. FDEP is preparing a written Draft Analysis Report, including proposed conditions of certification, for the Project. That Draft Analysis Report will be available for review about January 12, 2009, at the FDEP offices listed above. A copy of the Draft Analysis Report may be obtained by contacting Michael P. Halpin at FDEP's Office of Siting Coordination.

10. (a) Any person wishing to participate in the proceeding, either as a party or with limited participation, must file a petition within Section 403.508(3)(a), Florida Statutes, as to matters within its jurisdiction.

(b) Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health or property, or to conserve the natural resources of the state, to prevent waste, monopoly, or impairment, and has, commercial, productive groups of businesses comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located.

(c) Other parties may include any person, including those persons enumerated in paragraph 10(b), who have failed to timely file a petition for leave to intervene, if their substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable administrative rules promulgated pursuant to this paragraph may be allowed to participate in the proceeding as ALJ and deem such participation as the ends and justice and time prior to 30 days before the commencement of the certification hearing on February 23, 2009.

11. Any notice of intent to be a party, motion to intervene, or other pleading must be sent to:

Administrative Law Judge
Division of Administrative Hearings
The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

and must contain the following: reference to the application number PA08-51 the DOAH case number (DOAH Case No. 08-0372-EPP); the name, address, and telephone number of the person filing the motion; and allegations sufficient to demonstrate that the person is entitled to participation in the hearing. The notice of intent, motion to intervene or other pleading must also be sent by mail to the applicant and to the Office of Siting Coordination, Attention: FDEP's Office of Siting Coordination at the address and phone number above. Those wishing to intervene in these proceedings unless appearing on your own behalf, must be represented by an attorney or other person who can be determined to be qualified to represent in intervene, or to participate in a proceeding under Chapter 120, F.S. or Rule 28-106.1 05, F.A.C.

12. When appropriate, any person may be given an opportunity to present oral or written communications to the designated ALJ. If the ALJ proposes to consider such communications, then all parties shall be given an opportunity to cross-examine or challenge or rebut such communications.

13. Each party shall make available for public inspection at least five days prior to the hearing all the witnesses listed above any written direct testimony which that party intends to submit at the hearing.

14. Pursuant to Section 403.508(6), F.S., the certification hearing may be conducted C within 90 days of the date of the DOAH Case No. 08-0372-EPP, or within 90 days of the date of the Governor's Order on the Project, or the FDEP or the applicant requests that the ALJ convene the certification hearing. If the ALJ grants the request, the FDEP shall prepare and issue a final order in accordance with Section 403.507(3)(a), F.S.

15. Certification of this power plant would allow construction and operation of a new source of air and water which would generate an increment of air quality consumed.

16. FDEP's review has separately included an assessment of the prevention of significant deterioration (PSD) impacts and a determination of the Best Available Control Technology (BACT) necessary to control the emission of air pollutants from this source. The certification hearing may be consolidated with any proceeding relating to the FDEP's preliminary determination for granting a federally required new source review, PSD, or the Operation Permit.

17. The certification hearing may include consideration of a federally required Wastewater Permit pursuant to Section 403.088, F.S.

18. Pursuant to Section 403.508(6), F.S., PEF intends to use, connect to, or cross new properties or works of the following agencies: Board of Trustees of the Internal Improvement Trust Fund, Florida Department of Environmental Protection, Florida Department of Agriculture, Florida Fish and Wildlife Conservation Commission, Southwest Florida Water Management District, the counties of Levy, Citrus, Pinellas, Polk, Hillsborough, Marion, Sumter, and Hernando.

19. When an associated facility portion of up to one mile in width may be certified, the property of the last proposed will be within a 50-foot right-of-way no greater than 150 feet in width within that corridor.

20. The public notice is also provided in compliance with the Federal Coastal Zone Management Act, 16 U.S.C. 1451 et seq. and 15 CFR Part 930, Subpart D. Public comments on the Applicant's federal consistency certification should be directed to Lynn Griffin, Coordinator, Florida Coastal Management Program, Department of Environmental Protection, 3800 Commonwealth Blvd., M.S. 47, Douglas Building, Tallahassee, Florida 32399-3000.

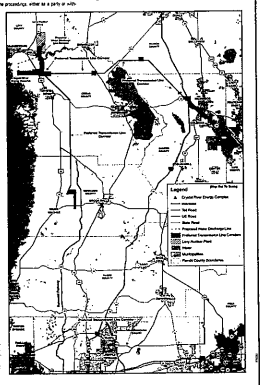
21. This notice is in lieu of other notices, including those relating to variances, changes in zoning, authorized and local government plans, or any other non-federal government licenses or permit.

22. A person condition of the certification, if granted, may provide for the subsequent submittal of information necessary for agencies to monitor the effects arising from the location of transmission line corridors and the construction and maintenance of the transmission lines to assure continued compliance with state water quality standards or conditions of certification. Subsequent submittal of information may also be required to assure compliance with filing deadlines, federal and state government actions. A person whose substantial interests are affected and who timely intervenes or participates in a hearing in accordance with paragraph 10 above, may petition to become a party to the proceeding if they raise an issue or cause determination relative to the postcertification monitoring process in that the certification proceeding provides such a person with the opportunity to raise an issue or cause determination. The ALJ may grant such a petition for leave to intervene or participation under the same terms as for such a petition for a person to an administrative determination on hearing pursuant to Chapter 120, F.S. and the Act on the proposed Project review and monitoring unless otherwise specified by a term or condition of certification.

Further information about this project is available on the following Web sites:

PEF – progress-energy.com/aboutenergy/powerdigest/nuclear_florida/levy/index.asp

DEP – dep.state.fl.us/siting/highlights/applications/nuclPegnerg_Energy_Levy_County_Nuclear



Progress Energy

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St. Petersburg Times

AFFIDAVIT OF PUBLICATION

STATE OF Florida)
COUNTY OF Pinellas)
CITY OF St. Petersburg)

I, Christine Paul, being duly sworn on oath now and during all times herein stated, have been the publisher and designated agent of the publication known as, The ST. PETERSBURG TIMES ("Publication") and have full knowledge of the facts herein stated as follows:

The ROP ad for Progress Energy ("Ad/Advertiser"), ran as follows:

Date	Times I/O number	Size	Position
12/18/08, Hernando Times	1002909765-01	6 x 21.5	Page 5
12/18/08, N Pinellas Times	1002909767-01	6 x 21.5	Page 6

By: Christine Paul

Subscribed and sworn to before me this 6 day of January, 2009.

Notary Public

Notary Seal:

JOSEPH F. FISH
MY COMMISSION #DD537734
EXPIRES: JUN 23, 2010
Bonded through 1st State Insurance

LEGAL NOTICE LEGAL NOTICE LEGAL NOTICE

NOTICE OF CERTIFICATION HEARING ON AN APPLICATION TO CONSTRUCT AND OPERATE AN ELECTRICAL POWER PLANT ON A SITE TO BE LOCATED IN LEVY COUNTY, FLORIDA, AND ASSOCIATED FACILITIES TO BE LOCATED IN LEVY, CITRUS, MARION, SUMTER, LAKE, HERNANDO, PINELLAS, HILLSBOROUGH AND POLK COUNTIES: PROGRESS ENERGY FLORIDA LEVY NUCLEAR PROJECT

1. Application number PA08-51 for certification to authorize construction and operation of a 2,200 megawatt (MW) nominal nuclear electrical generating facility and associated electrical transmission lines and substations, access roads, and water pipelines was filed by Progress Energy Florida (PEF) with the Florida Department of Environmental Protection (FDEP) on June 2, 2008. The Project is known as the Levy Nuclear Power Project. The Project site is Levy County and the location of the proposed associated transmission lines and other related facilities are shown in the map attached to this Notice. The Project is subject to review under the Florida Electrical Power Plant Siting Act (PPSA or Act), Chapter 403, Parts II, Florida Statutes (F.S.). The case is now pending before the Florida Division of Administrative Hearings (DOAH), Case No. 08-0271EP. PEF prays to be issued by the Florida Governor and Cabinet, pursuant to the PPSA.

2. The Project's two nuclear generating units and related facilities will be located in Levy County, Florida. The Levy project power plant is comprised of approximately 3,105 acres and has not been previously certified for power generation. The Project site is located about seven miles inland from the Gulf of Mexico and eight miles north of the company's Crystal River Energy Complex in Citrus County.

3. The Levy Nuclear Project application also seeks certification to approve the proposed corridors for the construction, operation and maintenance of the following transmission lines:

(a) Levy North Line: a 500-kilovolt (kV) transmission line on the Levy Nuclear Plant site, approximately 3.5 miles in length;

(b) Levy South Line: a 500-kV transmission line on the Levy Nuclear Plant site, approximately 2.5 miles in length;

(c) Citrus 1 & 2 Lines: two 500-kV transmission lines from the Levy Nuclear Plant site to the Citrus substation, approximately 2 miles in length;

(d) Sumter Line: a 500-kV transmission line from the Levy Nuclear Plant site to the Central Florida South Extension, approximately 35 miles in length;

(e) Crystal River Line: a 230-kV transmission line from the Levy Nuclear Plant site to the Crystal River Energy Complex switchyard, approximately 14 miles in length;

(f) Crystal River East Line: two 230-kV transmission lines from the Citrus Substation to the Crystal River East Substation, approximately 2.7 miles in length;

(g) Brookridge Line: a 230-kV transmission line from the Crystal River Energy Complex switchyard to Brookridge Main Substation, approximately 3 miles in length;

(h) Brookridge Westshore: a 230-kV transmission line from the Brookridge Substation to the Brookridge West Substation, approximately 2 miles in length; and

(i) PEF Line: a 230-kV transmission line from PEF to Hillsborough or Pinellas counties, approximately 52 miles in length.

4. Pursuant to Section 403.506, F.S., the certification hearing on this application is scheduled to be heard by the DOAH beginning at 9 a.m. on February 23, 2009, or as soon thereafter as can be heard, in the Levy County Civic Center, Cedar Key Room, 625 N. Hathaway Street, Bronson, Levy County, Florida. The hearing will be conducted by the Administrative Law Judge assigned by the DOAH. Additional hearings, if any, will be held at such place and time as the Administrative Law Judge may determine, after consultation with the parties, and as will be noticed by the DOAH.

DATES	SUBJECTS TO BE ADDRESSED	LOCATION
2/23/09 – 2/27/09	Area Days – Plant Railway, Rail, Barge Public Statements	Inglis Community Center 103 Hodges Blvd Inglis, FL 34449
3/2/09 – 3/6/09	Visual Plant March 2, 2009, 3:9 p.m. Public Statements	Inglis Community Center 103 Hodges Blvd Inglis, FL 34449
3/9/09 – 3/13/09	Visual Plant – Plant	Inglis Community Center 103 Hodges Blvd Inglis, FL 34449
3/16/09 – 3/20/09	Visual Impact – Cross T & E Crystal River, Crystal River Public Statements March 16, 2009, 3:9 p.m.	Inglis Community Center 103 Hodges Blvd Inglis, FL 34449
3/23/09 – 3/27/09	Visual Impact – PNP Transmission Line March 24, 2009, 3:9 p.m. Public Statements	Pantaloons 2307 W Dunnellon Rd Dunnellon, FL 34433
3/30/09 – 4/3/09	Visual Impact – Levy Transmission Line April 2, 2009, 3:9 p.m. Public Statements	Crystal River Regional Guest Library 8619 W. Venable St. Crystal River, FL 34429
4/6/09 – 4/10/09	Visual Impact – Rail Transmission Line April 7, 2009, 3:9 p.m. Public Statements	Bronson Area Library 1546 Cedar Street Bronson, FL 34621
4/13/09 – 4/17/09	Visual Impact – Barge Transmission Line April 14, 2009, 3:9 p.m. Public Statements	Crystal River Regional Guest Library 8619 W. Venable St. Crystal River, FL 34429
		Tom Sanders Center 1120 Cypress St. Crystal River, FL 34429
		Crystal River Mall 1801 N. Suncoast Blvd Crystal River, FL 34429
4/17/09 – 4/21/09	Visual Impact – Wildlife and Wetlands – Alternatives	Plantation Inn 9301 W Fort Island Trail Crystal River, FL 34429

5. The hearing is being held to take action and testimony on the effects of the proposed nuclear power plant and associated facilities and any other matter appropriate to the consideration of the Project. In making this determination, the Administrative Law Judge, and ultimately the Governor and Cabinet, must consider whether, and the extent to which, the location, construction, and operation of the electrical power plant and associated facilities will:

(a) Provide reasonable assurance that applicable state safeguards and standards will be met in the Project's construction and operation;

(b) Comply with applicable nonpromotional requirements of agencies;

(c) Be consistent with applicable local government comprehensive plans and land development regulations;

(d) Meet the electrical energy needs of the state in an orderly, reliable, and timely fashion;

(e) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and water to a degree that is equal or less than adverse effects which would result if the Project were not built;

(f) Serve such other purposes as may be in the interests of the public.

6. The Public Service Commission has previously determined that need for the Project as a separate hearing and need not be an issue at the hearing. Consideration of individual private property rights and equitable compensation as the condemnation proceedings which may be necessary to obtain access and use of the rights of way and other lands needed at the hearing. Witness testimony may be given at the hearing, or witnesses may be deposed and testimony may be taken by deposition and offered in evidence at the hearing. Commissioners of the Public Service Commission, or their designees, may be present at the hearing. Commissioners of the Public Service Commission may ask questions of witnesses at the hearing. Witness testimony may be given at the hearing, or witnesses may be deposed and testimony may be taken by deposition and offered in evidence