

TURKEY POINT 6 & 7 PROJECT SUMMARY OF STATE LICENSING PROCESS

This Project involves the addition of two new nuclear units at FPL's Turkey Point Power Plant that will be licensed under the Florida Electrical Power Plant Siting Act (PPSA), Sections 403.501 – 403.518, Florida Statutes. This law requires three decisions to be made about the Project:

- First, that the Project is needed;
- Second, that the Project is consistent with local land use and zoning regulations; and
- Third, that the Project meets applicable agency standards and should receive final approval for construction and operation.

The Project will also be separately and comprehensively reviewed by the federal government, with the Nuclear Regulatory Commission as the lead agency.

The Project comprises two 1,100 megawatt (MW) nuclear generating units on a portion of FPL's existing 11,000-acre property located in unincorporated southeast Miami-Dade County, along with several off-site associated facilities.

The associated facilities will include four new electrical transmission lines to connect to FPL's existing electrical transmission system. In the western part of the County, two 500 kV transmission lines will connect a new substation called Clearsky at Turkey Point to an existing substation called Levee located north of US 41 and west of the Turnpike Extension. A 230 kV transmission line will connect Clearsky to an existing substation called Pennsuco just south of US 27 and east of the Turnpike Extension. In the eastern part of the County, a second 230 kV transmission line is required to tie Clearsky substation to two existing substations called Davis and Miami. Davis substation is located between SW 136th Street and SW 140th Street and west of the Turnpike Extension., and Miami substation is located along the north side of the Miami River at SW 2nd Avenue.

Other non-transmission related linear facilities, such as a reclaimed water pipeline may also be required.

The Florida Public Service Commission has already determined that the Turkey Point 6 & 7 Project is needed by issuing the need determination on April 11, 2008. In making that determination, the Commission considered, among other things, the need for electric system reliability and integrity, the need for adequate electricity at a reasonable cost, the need for fuel diversity and supply reliability, the need for base-load generating capacity and whether the Project is the most cost-effective alternative available. The Commission also expressly considered the conservation measures available to FPL to mitigate the need for the Project.

Next winter, FPL will file an application for site certification for the Project with the Florida Department of Environmental Protection (FDEP), which is the lead regulatory agency in the state. Other state, regional and local agencies such as Miami-Dade County, municipalities within which associated facilities are proposed to be located, the South Florida Water Management District, the South Florida Regional Planning Council, the Department of Community Affairs, the Department of Transportation, the Florida Fish and Wildlife Conservation Commission, and the Public Service Commission, are parties to the Power Plant Siting Act (PPSA) proceeding and will be provided copies of the application for review. The application will include a thorough description of the Project, as well as discussions of environmental, social, land use, and other issues associated with the location, construction and operation of the new Project. The reviewing agencies will prepare reports on the Project and may recommend environmental and other conditions be imposed on the Project.

Miami-Dade County, and the other local governments within which non-exempt associated Project facilities will be located, will be requested to issue determinations on whether the Project facilities in their jurisdictions are consistent with local land use plans and zoning ordinances in early February. After public notice of these determinations, a formal hearing may be held on those land use and zoning issues if the determinations are disputed. In that event, the Governor and Cabinet, sitting as the Siting Board, will make the final decision regarding land use and zoning.

In late fall of 2009, a second formal public hearing may be held in the vicinity of the Project after FDEP and the reviewing agencies complete their review of the Project. This hearing will be an opportunity for the public to comment on the proposed project. Following issuance of the FDEP's final report, if there are no disputed issues concerning the Project that require a hearing, the Secretary of the Department of Environmental Protection will issue a final order of certification for the Project. If a hearing is held on the project, the Governor and Cabinet will make the final decision about granting certification for the Turkey Point 6 & 7 Project.

Opportunities for the Public to be involved in the PPSA¹

The PPSA process involves a number of opportunities for interested members of the public to stay involved and informed. Some of those opportunities are:

Participate in Informational Public Meetings. Local governments, and under certain circumstances the regional planning council, may hold informational public meetings to inform the general public about the Project, obtain comments from the public and prepare recommendations with respect to the proposed Project. These informational meetings should be held within 70 days after the application is filed.

Testify at the Public Hearing. The public has an opportunity to speak at two formal hearings that may be held as part of the review of FPL's application. The first possible hearing is the land use hearing where the administrative law judge considers whether the project is consistent with local land use plans and zoning ordinances. The second possible hearing will consider all other issues relevant to the Project, including proposed conditions of certification. These formal hearings would allow members of the public who are not parties to the certification proceeding to testify. The two hearings will be held near the Project site. It is anticipated that, if needed, the first public hearing would be held in the spring of 2009, and the second hearing would be held in the fall of 2009. The precise date(s) and location(s) will be included in subsequent newspaper notices for the land use/zoning hearing or the certification hearing.

Become an official party to the PPSA proceeding. Certain public interest organizations may become parties to the PPSA proceeding by filing a notice of intent to be a party within 75 days after the application is filed. In addition, a person or organization whose substantial interests are affected and being determined by the PPSA proceeding may file an appropriate pleading seeking to become a party no later than 30 days before the date set for the certification hearing.

Communications to the Administrative Law Judge. Any person may also be given an opportunity to present oral or written communications to the administrative law judge ("ALJ") assigned to the hearings, if appropriate.²

Provide comment to the Siting Board. If a formal hearing is held on either land use consistency or final certification, the ALJ's findings and recommendations will be considered by the Siting Board during regularly scheduled meetings of the Governor and Cabinet. An opportunity for brief presentations by parties and the public is provided by the Siting Board.

Of course, interested persons should consult the Florida Statutes or an attorney for further details on the availability and desirability of utilizing any of the above-mentioned methods for participating in the PPSA process.

More information about the PPSA process can be obtained from the FDEP Website at (<http://www.dep.state.fl.us/siting/>). More information about the project can be obtained from the FPL website (www.fpl.com/newnuclear).

¹ For a detailed description of third-party opportunities for participation, refer directly to the PPSA.

² If the ALJ decides to use these communications, all other parties will be given an opportunity to cross-examine or challenge or rebut them.