



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 14, 2019

Sent by Electronic Mail – Document Access Verification Requested

Roy S. Belden
Vice President
Shady Hills Energy Center, LLC
901 Main Avenue
Norwalk, Connecticut 06851

RE: Shady Hills Combined-Cycle Facility
Modification to Conditions of Certification
DEP Case Number PA18-59A
OGC Case Number 19-0085

AMENDED NOTICE OF INTENT TO MODIFY CONDITIONS OF CERTIFICATION

Dear Mr. Belden:

On January 15, 2019, the Department of Environmental Protection (Department) Siting Coordination Office received a petition from the Shady Hills Energy Center, LLC (SHEC), and the associated fee for a modification to the Shady Hills Combined-Cycle Facility (SHCCF) Site Certification in accordance with §403.516(1)(c), Florida Statutes (F.S.). The petition is for an expansion of the interconnection tie-line corridor.

On February 13, 2019, the Department issued its Notice of Intent to modify the Conditions of Certification (Conditions) for SHCCF. The Department withdrew its Notice of Intent on February 14, 2019, to address scrivener's errors within the proposed Conditions and is hereby issuing its Amended Notice of Intent modifying the Conditions for the SHCCF to incorporate changes associated with SHEC's petition. The proposed conditions have been described in the attached draft Final Order shown in ~~striketrough~~/underline notation. Copies of the complete set of Conditions and/or attachments may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, Tallahassee, Florida 32399-3000, (850) 717-9000.

Pursuant to §403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of this notice in which to file a written

objection to the modification. A public notice will also be published in the Florida Administrative Register (FAR) regarding this Intent to Modify the Conditions. Any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party. The Department will issue a Final Order Modifying the Conditions of Certification for SHCCF if no written objections are received by the Department.

Written objections must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If the Department does not receive any written objections, then an Order Modifying the Conditions of Certification shall be issued by the Department. If written objections are timely filed which address only a portion of the modification, then pursuant to Rule 62-17.211(1)(b)5, F.A.C., the Department shall issue an Order approving that portion of the modification to which no objections were filed, unless that portion of the modification is substantially related to or necessary to implement the portion to which written objections are filed. If written objections are raised, then pursuant to §403.516(1)(c), F.S., the Applicant may file a petition for modification with the Department and the Division of Administrative Hearings seeking approval for those portions of the modification to which written objections were timely filed.

Mediation is not available in this proceeding.

Any questions regarding this Intent to Modify Conditions of Certification should be directed to Amanda Dyer at (850) 717-9111. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2257. Such contact with any of the above does not constitute an objection to the modification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cindy Mulkey", with a stylized flourish at the end.

Cindy Mulkey

Administrator

Siting Coordination Office

CC by electronic mail:

District Director SWD, DEP: may.yeargan@dep.state.fl.us

District Liaison SWD, DEP: mark.langford@dep.state.fl.us

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Clerk

Date

Service List: *Sent by Electronic Mail – Document Access Verification Requested*

<p>Michael Weiss, Esquire Department of Environmental Protection 3900 Commonwealth Blvd., M.S. 35 Tallahassee, Florida 32399-3000 michael.weiss@dep.state.fl.us</p>	<p>Kimberly Menchion, Esquire Jasmin Raffington Department of Transportation 605 Suwannee Street, MS 58 Tallahassee, Florida 32399-0458 kimberly.menchion@dot.state.fl.us jasmin.raftington@dot.state.fl.us</p>
<p>Andrew S. Grayson, Esquire Florida Fish & Wildlife Conservation Commission 620 South Meridian Street Tallahassee, Florida 32399-1600 andrew.grayson@myfwc.com FWCConservationPlanningServices@myfwc.com</p>	<p>Luna Phillips, Esquire Gunster, Yoakley, &Steward, P.A. 450 East Las Olas Boulevard, Suite 1400 Fort Lauderdale, Florida 33301 lphillips@gunster.com mmcleod@gunster.com</p>
<p>Jon Morris, Esquire Scott Rogers Department of Economic Opportunity 107 East Madison Street Tallahassee, Florida 32399 Jon.Morris@deo.myforida.com Scott.Rogers@deo.myflorida.com</p>	<p>Jeffery Steinsnyder, Esquire Joseph Richards, Esquire Pasco County Attorney's Office 8731 Citizens Drive, Suite 340 New Port Richey, Florida 34654 jsteinsnyder@pascocountyfl.net jrichards@pascocountyfl.net</p>
<p>Lee Eng Tan, Esquire Florida Public Service Commission Office of General Counsel 2450 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 LTan@psc.state.fl.us</p>	<p>Vivian Arenas-Battles, Esquire Southwest Florida Water Management District Office of General Counsel 7601 U.S. Highway 301 North Tampa, Florida 33637 Vivian.Arenas-Battles@swfwmd</p>
<p>Jason Aldridge Robin Jackson Department of State Division of Historical Resources R.A. Gray Building 4th Floor 500 South Bronough Street Tallahassee, Florida 32399-0250 jason.aldridge@dos.myflorida.com Robin.Jackson@dos.myflorida.com</p>	<p>Sean Sullivan Executive Director Tampa Bay Regional Planning Council 4000 Gateway Centre Boulevard, Suite 100 Pinellas Park, Florida 33782 sean@tbrpc.org</p>