



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Siting Coordination Office

NOTICE OF RESCHEDULED NATURAL GAS PIPELINE CERTIFICATION HEARING DUE TO FILING OF ALTERNATE CORRIDOR(S)

Pursuant to the provisions of Section 403.9412, F.S., corridors that are alternate to the one sought by [applicant's name] in the [project name] Natural Gas Pipeline Certification proceedings, application number ____, Division of Administrative Hearings Case No. ____ have been submitted. In order to allow citizens and agencies to study the proposal, the certification hearing originally scheduled for ____, 2____ and noticed in this paper on ____, 2____ has been rescheduled to ____, 2____, at ____, Florida, commencing at ____m.

[Where an individual local government hearing has been requested, the public notice for the particular county shall state:] The local public hearing where members of the public not a party to the proceeding could testify has also been rescheduled to ____ 2____, at ____, Florida, commencing at ____m; citizens should be aware that the majority of the testimony and evidence of the case will be heard at the centrally located certification hearing identified above.

State agencies, water management districts, regional planning councils, and local governments have prepared a report on compliance with applicable laws and any needed conditions of certification to assure such compliance for the application as was originally proposed and shall do the same for the alternate corridor locations proposed. It is recommended that interested individuals review the information available on the alternate corridor and bring matters of concern to the appropriate agency's or the alternate proponent's attention as soon as possible. Information regarding the appropriate contact persons in the agencies may be obtained from the Department of Environmental Protection's Siting Coordination Office [provide address and phone number]. The information on alternate corridors is available at the following locations:

[Here list the addresses of the main and appropriate district offices of the Department serving the area of the corridors, the general business office and appropriate local business offices (if any) of the applicant, the general business office of the alternate proponent, any other appropriate locations as specified by the Department, and the Department's designated internet address for this information.].

Newly affected persons wishing to participate in the proceedings as a party must file an appropriate pleading with the Division of Administrative Hearings following the procedures in Chapter 28-106, F.A.C., and Section 403.9411, F.S., which provides that:

(1) Parties to the proceeding shall be: [list appropriate parties from 403.9411(4)(a)]. Any of these parties, other than the Department of Environmental Protection and [name of applicant], may waive its right to participate in these proceedings if the listed party fails to file a notice of intent to be a party on or before the deadline date indicated below.

Notwithstanding the provisions of Chapter 120, F.S., to the contrary, upon the filing with the administrative law judge of a notice of intent to be a party by an agency, corporation, or association described in subparagraphs (a) and (b) below, or a petition for intervention by a person described in subparagraph (c) below, no later than the deadline date indicated below, the following shall also be parties to the proceeding:(a) Any agency not listed in subparagraph (1) above as to matters within its jurisdiction.

(b) Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation of 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 natural gas pipeline or corridor is to be located.

(c) Any person whose substantial interests are affected and being determined by the proceeding.

For further information about the certification process please see:

http://www.dep.state.fl.us/siting/rules_statutes.htm

Any notice of intent to be a party or motion to intervene must be submitted by:[date] and sent to: Re: DOAH Case No. [insert case number], Division of Administrative Hearings, _____ [current address], Tallahassee, Florida, _____, and must contain the following:

reference to the application number; the name, address, and telephone number of the agency or person; and, allegations sufficient to demonstrate the agency or person is entitled to participate in the proceeding. The notice or motion must be sent to the applicant and to all parties. (A list of parties may be obtained from the Department's Siting Coordination Office at the physical address, by phone 850-245-2002, or by email to SCO@dep.state.fl.us above.)

The Siting Board may certify all or portions of one or more corridors proper for certification.

The Natural Gas Transmission Pipeline Siting Act provides, among other things, that:

- (1) Subject to the conditions set for the therein, certification shall constitute the sole license of the state and any agency as to the approval of the location of pipeline corridors and the construction, operation and maintenance of pipelines. The certification is valid for the life of the pipeline if construction on, or condemnation or acquisition of the right-of-way is commenced with 5 years after the date of certification or such later date as may be authorized by the board.
- (2) The certification authorizes the licensee to locate the pipeline corridor and to construct and maintain the pipeline subject only to the conditions set forth in the certification.
- (3) The certification may include conditions that constitute variances and exemptions from nonprocedural standards or rules of the department or any other agency which were expressly considered during the certification review unless waived by the agency as provided in s.403.9416 and which would otherwise be applicable to the location of the proposed pipeline corridor or the construction, operation, and maintenance of the pipeline(s).