



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

March 4, 2005

Al Linero
Bureau of Air Regulation
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Dear Mr. Linero:

On February 25, 2005, Calpine Construction Finance Company, L.P. submitted their response to current sufficiency questions regarding the Blue Heron Energy Center site certification application. You should have received a copy of this document. Please review these responses and submit any comments to the Siting Coordination Office by March 22, 2005.

If you have any questions, please e-mail me at steven.palmer@dep.state.fl.us or call me at 850.245.8002.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Palmer", with a long horizontal line extending to the right.

Steven L. Palmer
Siting Coordination Office

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BUREAU OF AIR REGULATION

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: CALPINE CONSTRUCTION
FINANCE COMPANY, L.P.
(BLUE HERON ENERGY CENTER);
POWER PLANT SITING
APPLICATION NO. PA00-42

DOAH CASE NO. 00-4564EPP
OGC CASE NO. 00-2072

JOINT STATUS REPORT

Calpine Construction Finance Company, L.P. ("Calpine") and the Florida Department of Environmental Protection ("Department") hereby file this status report responding to the Administrative Law Judge's Order Granting Continuance and Placing Case in Abeyance dated February 5, 2003.

1. The Department has issued its Notice of Second Insufficiency, finding that Calpine's application for certification of the Blue Heron Project remains insufficient. Pursuant to Section 403.5067(1), Florida Statutes, the time schedules under the PPSA are tolled in this case until a determination of sufficiency is issued by the Department.

2. The Department's determination of insufficiency is based largely on comments submitted by the St. Johns River Water Management District ("SJRWMD"). The SJRWMD wants Calpine to provide detailed information concerning the water supply plan for the Blue Heron Project. Calpine and Indian River County have prepared a water supply agreement, which the Indian River County Board of County Commissioners and the SJRWMD have preliminarily approved. Although Calpine is diligently working on the final details of the water supply agreement with Indian River County and the SJRWMD, Calpine cannot accurately predict when the agreement will be executed. In turn, Calpine cannot accurately predict when Calpine will be able to provide the

information requested by the SJRWMD.

3. Section 403.508(3), F.S., provides that the issuance of a determination of need by the Public Service Commission is a condition precedent to the certification hearing. At this time, Calpine cannot accurately predict when Calpine will receive a determination of need from the Public Service Commission.

4. For these reasons, Calpine and the Department request that the certification hearing continue to be held in abeyance.

5. Calpine will file a status report with the Administrative Law Judge within 90 days of the date of this status report and thereby inform the Administrative Law Judge of the status of this project.

6. Mr. Scott Goorland, the attorney for the Department in this case, has authorized the undersigned counsel to execute this joint motion on behalf of the Department.

Respectfully submitted this _____ day of May, 2003.

LANDERS & PARSONS, P.A.

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and

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STATE OF FLORIDA DEPARTMENT
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CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the foregoing document was furnished to the Clerk, Division of Administrative Hearings, 1230 Apalachee Parkway, DeSoto Building, Tallahassee, Florida, 32399 by hand delivery and copies were furnished to the following individuals by U.S. Mail on this ____ day of May, 2003:

Steven Palmer, P.E. Office of Siting Coordination Department of Environmental Protection 2600 Blair Stone Road, MS 48 Tallahassee, FL 32399-3000	Scott Goorland Senior Assistant General Counsel Office of General Counsel Department of Environmental Protection 3900 Commonwealth Blvd., MS 35 Tallahassee, FL 32399-3000
James V. Antista, General Counsel Florida Fish and Wildlife Conservation Commission 620 South Meridian Street Tallahassee, FL 32399-1600	Sheauching Yu Assistant General Counsel Department of Transportation 605 Suwannee Street, MS 58 Tallahassee, FL 32399-0458
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ATTORNEY