

A.K. (BEN) SHARMA, P.E.
Vice President of Power Supply
E-mail: BSHARMA@KUA.COM



P.O. BOX 423219, KISSIMMEE, FLORIDA 34742-3219
(407) 933-7777 FAX: 407-847-0787

November 12, 2002

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NOV 15 2002

BUREAU OF REGULATION

Department of Environmental Protection
Mr. A.A. Linero, P.E.
Administrator New Source Review Section
Mail Station #5505
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ref: DEP File No. PSD-FL-254, PA 98-38
KUA Cane Island Unit 3

Dear Mr. Linero:

Enclosed please find the Proof of Publication for publishing the Draft PSD Permit Modification for Cane Island Unit 3.

If you have any questions, please do not hesitate to contact me at (407) 933-7777 ext. 1232.

Sincerely,

A handwritten signature in black ink that reads "A.K. Sharma".

A. K. (Ben) Sharma, P.E.
Vice President of Power Supply

cc: Jerome Guidry

Orlando Sentinel
communications

Osceola County
804 W. Emmett Street
Kissimmee, Florida 34741

Date: November 11, 2002

This is to certify that the attached advertisement did publish in The Orlando Sentinel, Osceola Edition Nov 10th, 2002.

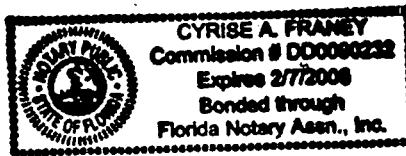
Advertising Account Exec.
The Orlando Sentinel

STATE OF FLORIDA
COUNTY OF OSCEOLA

I, the undersigned authority, hereby certify that the foregoing is a true and correct copy of the instrument presented to me by Rebecca Rosado as the original of such instrument.

WITNESS my hand and official seal, this 11th day of Nov., 2002.

Cyrise A. Franey
Notary Public
State of Florida at Large



My commission expires Feb. 7, 2006.

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BUREAU OF AIR REGULATION

**PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. PSD-FL-254 (PA 98-38)
Kissimmee Utility Authority
Cane Island Power Plant - Unit No. 3
Osceola County**

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Kissimmee Utility Authority, for the Cane Island Unit 3 Combined Cycle Unit located at 6075 Old Tampa Highway, Intercession City, Osceola County. The permit is to revise the conditions relative to start-up emissions. This is a new generating unit, which has commenced initial operation. The applicant's mailing address is: A.K. Sharma, Kissimmee Utility Authority, P.O. Box 423219, Kissimmee FL 34742-3219.

This modification specifies an alternate emission limit for NOx during any calendar day in which a start-up or shutdown occurs. There are no other changes to the authorized emissions as a result of this modification.

An air quality impact analysis was not conducted. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-1344
Fax: (850) 922-6979

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 23
Orlando, Florida 32803-3767
Telephone: (407) 894-7555
Fax: (407) 897-2966

The complete project file includes the application, Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, at 111 South Magnolia, Suite 4, Tallahassee, Florida 32301, or call (850) 488-0114, for additional information.