

**AGENDA  
SITING BOARD  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
JUNE 24, 2004**

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**Item 1          Minutes**

Submittal of Minutes from the May 25, 2004, Cabinet Meeting.

(See Attachment 1, Pages 1-2)

**RECOMMEND APPROVAL**

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**Item 2          FPL Final Order/Collier-Orange River #3 Transmission Line**

**REQUEST:** Consideration of an Order, to be executed by the Siting Board, adopting the Administrative Law Judge's Recommended Order recommending the Siting Board grant full and final certification to Florida Power & Light Company, under Section 403, Part II, F. S., for the location, construction and operation of the Collier-Orange River #3 230kV Transmission Line, pursuant to Subsections 403.529, and 403.531(1), F.S.

**COUNTIES:** Collier and Lee

**APPLICANT:** Florida Power & Light Company

**LOCATION:** The transmission line corridor is located in unincorporated areas of Collier County and Lee County, Florida, from the Collier Substation located east of Naples to the Orange River Substation located east of Fort Myers

**STAFF REMARKS:** Florida Power & Light Company (FPL) has applied for certification of a 53.9 mile corridor for a single circuit, overhead 230-kV transmission line which will be placed mainly on single, stand alone concrete poles. FPL's proposed 53.9-mile corridor varies in width between the Collier substation east of Naples to the Orange River substation east of Fort Myers. This corridor ranges from 100 to 500 feet wide along existing road and transmission line right-of-ways. The preferred corridor may vary from 100 to 2,600 feet in width in areas where new right-of-way would have to be acquired by FPL. If approved, the new transmission line circuit would be on a right-of-way (ROW) typically ranging from 15 feet to 60 feet in width. After certification, when FPL acquires a property interest in a selected ROW, via an easement or fee simple title, the certified corridor shrinks to the ROW. The proposed corridor predominantly follows existing road and existing transmission line right-of-ways. By looping the proposed corridor to the east, FPL avoids the Corkscrew Swamp, established neighborhoods, and provides additional reliability by establishing a geographic separation from the existing transmission lines serving Collier County.

All reviewing agencies recommended certification of the proposed corridor and recommended conditions of certification to minimize adverse impacts and to insure compliance with local policies and applicable regulatory standards. The Florida Public Service Commission found that the proposed transmission line is needed and that the geographically separate corridor would provide increased reliability. Intervening parties suggested alternative corridors and argued that use of an existing ROW would be just as reliable and less costly. The Administrative Law Judge, after hearing public and expert testimony and reviewing the evidence of record, filed a Recommended Order finding that FPL had met its burden of proving that Collier-Orange River #3 transmission line and related facilities should be certified as proposed and subject to conditions. The Administrative Law Judge recommended that the Siting Board enter a Final Order approving FPL's transmission line. FPL initially filed then withdrew an exception to the ALJ's Recommended Order concerning certain conclusions of law. FPL agrees with the ALJ's recommendation for certification.

(See Attachment 2, Pages 1-182)

**RECOMMEND APPROVAL**