



# FLORIDA DEPARTMENT OF Environmental Protection

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

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

January 3, 2019

*Sent by Electronic Mail – Document Access Verification Requested*

Jeffrey Winkler  
Class A Management Committee Member  
Florida Power Development, LLC  
10311 Cement Plant Road  
Brooksville, Florida 34601  
[jeff.winkler@jpmorgan.com](mailto:jeff.winkler@jpmorgan.com)

RE: Brooksville Power Plant  
Certification Transfer PA 82-17S  
OGC Case Number 19-0006

## **FINAL ORDER TRANSFERRING CERTIFICATION**

Dear Mr. Winkler:

The Siting Board authorized the construction and operation of the steam electric generating plant at the Brooksville Electric Generating Plant (Brooksville) on March 12, 1984. Florida Power Development LLC (FPD) and CEMEX Construction Materials, LLC (CEMEX) are currently the co-licensees for the power plant facility and certain associated facilities. The Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on eighteen occasions.

On December 3, 2018, the Department received a Notice of Intent to Transfer Certification of Brooksville from FPD to Brooksville PP Assets Holding Company, LLC and CEMEX pursuant to Rule 62-17.211(3), F.A.C. The Department must approve the transfer, or object based on the inability of the new licensee to comply with the Conditions of Certification.

On December 3, 2018 all parties to the certification proceeding were also provided notice of FPD's intent to transfer the certified facility. Pursuant to Rule 62-17.211(3), F.A.C., all parties to the certification proceeding have 30 days from notice to file with the Department a written objection to the transfer. Failure of a party to act within the time frame constitutes a waiver of the right to object.

No objections to the transfer have been received by the Department. The Department hereby approves the Transfer of Certification and the Conditions of Certification for Brooksville are hereby updated as shown at the following link to reflect the transfer: [http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa82\\_17\\_2019\\_S.pdf](http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa82_17_2019_S.pdf).

Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Ann Seiler, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-3000, (850) 717-9000.

Any party to this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.

**Cindy Mulkey** Digitally signed by Cindy Mulkey  
Date: 2019.01.03 14:33:24 -05'00'

Cindy Mulkey, Administrator  
Siting Coordination Office

cc. Mary Yeargan, FDEP [mary.yeargan@dep.state.fl.us](mailto:mary.yeargan@dep.state.fl.us)  
Mark Langford, FDEP [mark.langford@dep.state.fl.us](mailto: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.

**Lynn Searce** Digitally signed by Lynn Searce  
Date: 2019.01.03 14:43:41  
-05'00'

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

**Service List:** *CC by email (Document Access Verification Requested)*

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