

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Scott
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OCT 31 1997

BUREAU OF
AIR REGULATION

In the Matter of an
Application for Permit by:

OGC No. 97-1500

City of Gainesville, Gainesville
Regional Utilities
P.O. Box 147117 (A134)
Gainesville, FL 32614-7717

DRAFT Permit No.: 0010005-001-AV
J.R. Kelly Generating Station
Alachua County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time to and including November 7, 1997, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, GRU states the following:

1. On or about August 27, 1997, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0010005-001-AV) for the J.R. Kelly Generating Station in Alachua County, Florida. Along with the Intent to Issue, GRU received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."
2. By Order dated October 21, 1997, the Department granted GRU an extension until October 31, 1997, to file a Petition for Administrative Proceedings.
3. The draft permit and associated documents contain several provisions that warrant clarification or correction.
4. GRU has corresponded and will continue to correspond with Department

representatives from the Division of Air Resources Management in an effort to resolve its concerns regarding the draft permit.

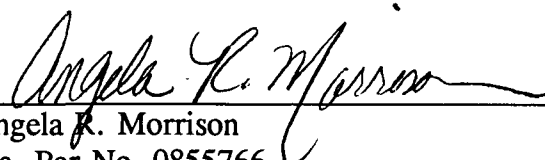
5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing.

6. Scott Sheplak with the Bureau of Air Regulation has agreed to an extension until November 7, 1997 on behalf of the Department. Representatives from GRU have attempted without success to contact Jeffrey Brown with the Office of General Counsel regarding this request.

WHEREFORE, GRU respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0010005-001-AV be formally extended to and including November 7, 1997.

Respectfully submitted this 30th day of October, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


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Attorney for CITY OF GAINESVILLE,
GAINESVILLE REGIONAL UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 30th day of October, 1997:

Clair H. Fancy, P.E.
Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Jeffrey Brown
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

