

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In Re:

OGC CASE NO.: \_\_\_\_\_

City of Gainesville  
Gainesville Regional Utilities (GRU)  
Gainesville, FL 32614-7117

Deerhaven Generating Station  
Facility ID No. 0010006  
Draft Permit Renewal No. 0010006-003-AV

NOTICE OF WITHDRAWAL OF REQUEST FOR EXTENSION OF TIME

The City of Gainesville, (GRU), by and through undersigned counsel, hereby withdraws its Request for Extension of Time to file a Petition for Administrative Proceedings in accordance with Chapter 120, Florida Statutes. GRU filed its request for extension of time until December 6, 2004, in response to the "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 0010006-003-AV) for the Deerhaven Generating Station, located in Alachua County, Florida, to negotiate certain changes in the Draft Title V permit.

The withdrawal is conditioned upon changes agreed to between the Department of Environmental Protection (DEP) and GRU, which are reflected in the document attached as Exhibit A.

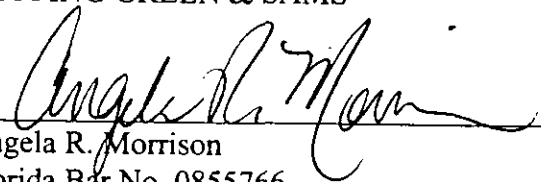
Respectfully submitted this 16th day of November, 2004.

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BUREAU OF AIR REGULATION


HOPPING GREEN & SAMS

  
Angela R. Morrison  
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123 South Calhoun Street  
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Tallahassee, Florida 32301  
(850) 222-7500

Attorney for Gainesville Regional Utilities

CERTIFICATE OF SERVICE

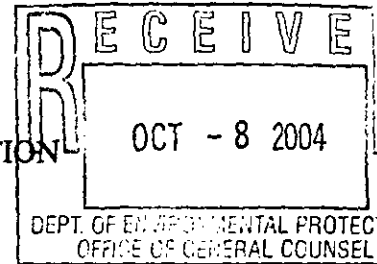
I HEREBY CERTIFY that the original and a true and correct copy of the foregoing has been furnished by Hand Delivery to Kathy Carter, Agency Clerk, and Doug Beason, General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Suite 300, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399 this 16th day of November, 2004.

  
\_\_\_\_\_  
Angela R. Morrison

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THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

OGC No. \_\_\_\_\_

City of Gainesville  
Gainesville Regional Utilities (GRU)  
Post Office Box 147117 (A134)  
Gainesville, FL 32614-7117

Deerhaven Generating Station  
Facility ID No. 0010006  
Draft Permit Renewal No. 0010006-003-AV  
Alachua County

**REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, City of Gainesville (GRU) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an extension of time to and including December 6, 2004, 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 October 7, 2004, GRU received from the Department of Environmental Protection (Department) a Title V Air Operation Renewal Permit (Permit No. 0010006-003-AV) for the Deerhaven Generating Station located in Alachua County, Florida.
2. The draft permit contains several provisions that warrant clarification or correction.
3. Representatives of GRU have corresponded and will continue to correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.
4. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the Title V Air Operation Renewal 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.
5. A GRU representative has contacted Bruce Mitchell with the Department's Bureau of Air Regulation and he has no objection to this request.

Hopping Green & Sams

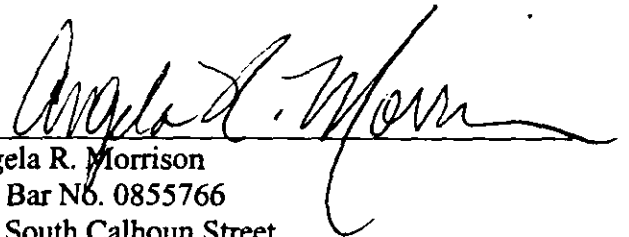
Attorneys and Counselors

6. Counsel for GRU has contacted Douglas Beason with the Department's Office of General Counsel regarding this request, and he has no objection.

WHEREFORE, GRU respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Title V Air Operation Permit Renewal (Permit No. 0010006-003-AV) be formally extended to and including December 6, 2004. If the Department denies this request, GRU requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 8<sup>th</sup> day of October, 2004.

HOPPING GREEN & SAMS, P.A.



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Attorney for CITY OF GAINESVILLE,  
GAINESVILLE REGIONAL UTILITIES (GRU)

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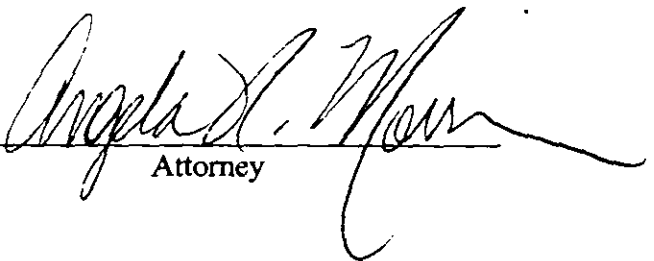
Attorneys and Counselors

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by  
U.S. Mail on this 8<sup>th</sup> day of October, 2004:

Trina Vielhauer, Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Douglas Beason, Esquire  
Office of General Counsel  
Department of Environmental Protection  
3900 Commonwealth Blvd.  
Tallahassee, FL 32399-2600

  
\_\_\_\_\_  
Attorney

**Hopping Green & Sams**

Attorneys and Counselors