

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

JUN 28 1999

BUREAU OF
AIR REGULATION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 97-1771
DEP Second Revised Draft Permit No.: 0010006-001-AV

City of Gainesville, Gainesville
Regional Utilities
Deerhaven Generating Station
Alachua County, Florida

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time to and including September 1, 1999, 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 15, 1998, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Revised Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station located in Alachua County, Florida. GRU subsequently filed several extensions of time, until July 1, 1999, to preserve its right to file a Petition for Administrative Proceeding on this permit.

2. On or about June 18, 1999, GRU received from the Department an "Intent to Issue Title V Air Operation Permit" (Second Revised Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station. The Department issued this Second Revised Draft based on progressing negotiations.

3. The Department's cover letter to the Revised Draft permit states that the Revised Draft Title V permit issued in October of 1998 is withdrawn. In reliance on this representation, GRU hereby files this Request for Extension of Time on the Second Revised Draft permit, and understands that no further extensions of time are needed to preserve its rights in relation to the Revised Draft Title V permit because it has been effectively withdrawn. Nonetheless, insofar as the Revised Draft Title V permit may be determined to still be in effect, GRU respectfully requests that this Request for Extension of Time apply to both the Revised and the Second Revised Draft Title V permits.

4. Based on GRU's review, the Second Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

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

6. A representative of GRU has discussed this request for an extension until September 1, 1999, with Tom Cascio of the Department's Division of Air Resources Management 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 Intent to Issue Title V Air Operation Permit for Revised/Second Revised Draft Permit No. 0010006-001-AV be formally extended to and including September 1, 1999. If this Request is denied, GRU requests 10 days from the date of denial to file a Petition, if necessary.

Respectfully submitted this 25th day of June, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By: Angela R. Morrison
Angela R. Morrison, Esq.
Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

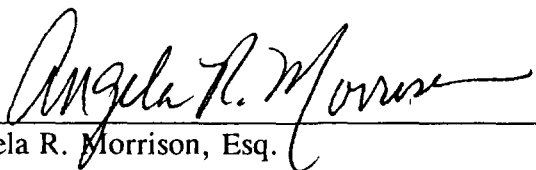
Attorneys for CITY OF GAINESVILLE, GAINESVILLE
REGIONAL UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 25th day of June, 1999:

Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Jeff Brown, Esq.
Department of Environmental Protection
Room 669
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Angela R. Morrison, Esq.

7/19/99 cc = Tom Cascio

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

CITY OF GAINESVILLE,
GAINESVILLE REGIONAL UTILITIES
(DEERHAVEN GENERATING STATION),

Petitioner,

vs.

OGC CASE NO. 97-1771

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**


This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner City of Gainesville, Gainesville Regional Utilities to grant an extension of time to file a petition for an administrative hearing on Second Revised Draft Permit No. 0010006-001-AV. See Exhibit 1. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until September 1, 1999, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 20th day of July 1999 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION




F. PERRY ODOM, General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing Order Granting Request for Extension of Time to File Petition for Hearing was mailed to Angela R. Morrison, HOPPING GREEN SAMS & SMITH, P.A., 123 South Calhoun Street, Post Office Box 6526, Tallahassee, Florida 32314, on this 20th day of July 1999.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Scott A. Goorland
Senior Assistant General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314

8/4/99
cc: Tom Cascio

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 97-1771
DEP Second Revised Draft Permit No.: 0010006-001-AV

City of Gainesville, Gainesville
Regional Utilities
Deerhaven Generating Station
Alachua County, Florida

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time to and including September 1, 1999, 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 15, 1998, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Revised Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station located in Alachua County, Florida. GRU subsequently filed several extensions of time, until July 1, 1999, to preserve its right to file a Petition for Administrative Proceeding on this permit.

2. On or about June 18, 1999, GRU received from the Department an "Intent to Issue Title V Air Operation Permit" (Second Revised Draft Permit No. 0010006-001-AV) for the GRU Deerhaven Generating Station. The Department issued this Second Revised Draft based on progressing negotiations.

3. The Department's cover letter to the Revised Draft permit states that the Revised Draft Title V permit issued in October of 1998 is withdrawn. In reliance on this representation, GRU hereby files this Request for Extension of Time on the Second Revised Draft permit, and understands that no further extensions of time are needed to preserve its rights in relation to the Revised Draft Title V permit because it has been effectively withdrawn. Nonetheless, insofar as the Revised Draft Title V permit may be determined to still be in effect, GRU respectfully requests that this Request for Extension of Time apply to both the Revised and the Second Revised Draft Title V permits.

4. Based on GRU's review, the Second Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

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

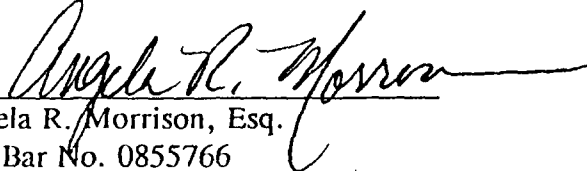
6. A representative of GRU has discussed this request for an extension until September 1, 1999, with Tom Cascio of the Department's Division of Air Resources Management and he has no objection.

WHEREFORE, GRU respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Revised/Second Revised Draft Permit No. 0010006-001-AV be formally extended to and including September 1, 1999. If this Request is denied, GRU requests 10 days from the date of denial to file a Petition, if necessary.

Respectfully submitted this 25th day of June, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By:


Angela R. Morrison, Esq.
Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

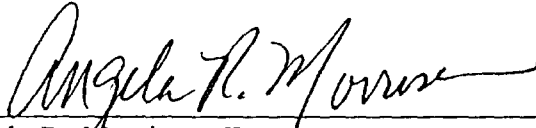
Attorneys for CITY OF GAINESVILLE, GAINESVILLE
REGIONAL UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 25th day of June, 1999:

Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Jeff Brown, Esq.
Department of Environmental Protection
Room 669
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Angela R. Morrison, Esq.