

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

GAINESVILLE REGIONAL
UTILITIES,

Petitioner,

vs.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.
_____ /

OGC CASE NO. 97-1771

RECEIVED

AUG 20 1998

BUREAU OF
AIR REGULATION

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

This cause has come before me upon receipt of a request made by Petitioner, GAINESVILLE REGIONAL UTILITIES, to grant an extension of time to file a petition for an administrative hearing on Application No. 0010006-001-AV. See Exhibit 1. The Department has no objection, therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until October 30, 1998, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Mail Station 35, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 14 day of August, 1998, in Tallahassee,
Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


F. PERRY ODOM
General Counsel

Douglas Building, MS #35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314


CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been mailed to:

Angela R. Morrison
Robert A. Manning
Hopping, Green, Sams, and Smith, P.A.
Post Office Box 6526
Tallahassee, Florida 32314

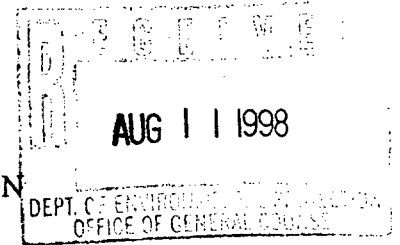
on this 20 day of August, 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JEFFREY BROWN
Florida Bar No. 0843430
Assistant General Counsel

Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9730

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



In the Matter of an
Application for Permit by:

OGC No. 97-1771

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

DRAFT Permit No.: 0010006-001-AV
Deerhaven 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 October 30, 1998, 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 1, 1997, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0010006-001-AV) for the Deerhaven 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 July 23, 1998, the Department granted an extension until August 14, 1998, to file a petition in this matter.

3. Based on GRU's review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

4. Representatives of GRU have corresponded and plan to continue to correspond with staff of the Department's Bureau of Air Regulation 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. Teresa Heron with the Department's Bureau of Air Regulation has agreed to an extension until October 30, 1998, on behalf of the Department. A representative from GRU has attempted without success to contact Jeffrey Brown with the Department's 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. 0010006-001-AV be formally extended to and including October 30, 1998.

Respectfully submitted this 10th day of August, 1998.

HOPPING GREEN SAMS & SMITH, P.A.



Angela R. Morrison
Fla. Bar No. 0855766
Robert A. Manning
Fla. Bar No. 0035173
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 10th day of August, 1998:

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

