

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GAINESVILLE REGIONAL  
UTILITIES,**

**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, 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.

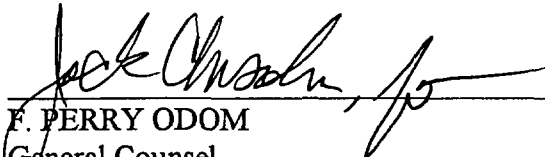
Counsel for Petitioner has discussed this request with representative for the Respondent Department, which has no objection to it. Therefore,

**IT IS ORDERED:**

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until July 17, 1998, 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 9<sup>th</sup> day of June, 1998 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



F. PERRY ODOM  
General Counsel  
Douglas Building  
3900 Commonwealth Boulevard  
Mail Station 35  
Tallahassee, FL 32399-3000  
Telephone: (850) 488-9314

**CERTIFICATE OF SERVICE**

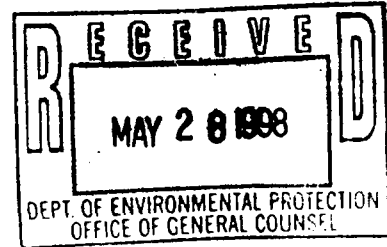
I CERTIFY that a true copy of the foregoing was mailed to Angela R. Morrison, Hopping, Green, Sams, and Smith P.A., Post Office Box 6526, Tallahassee, Florida 32314; and Robert A. Manning, Hopping, Green, Sams, and Smith, P.A., Post Office Box 6526, Tallahassee, Florida 32314 on this 22 day of June 1998.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



JEFFREY BROWN  
Assistant General Counsel  
Florida Bar No.: 0843430  
Douglas Building  
3900 Commonwealth Boulevard  
Mail Station 35  
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 July 17, 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 April 15, 1998, the Department granted an extension until June 5, 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.

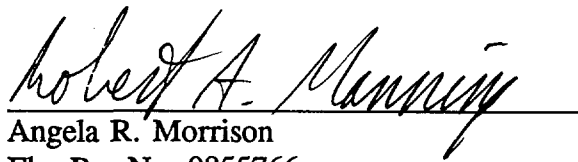
5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Scott Sheplak with the Department's Bureau of Air Regulation has agreed to an extension until July 17, 1998, on behalf of the Department. Representatives from GRU have 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 July 17, 1998.

Respectfully submitted this 28 day of May, 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

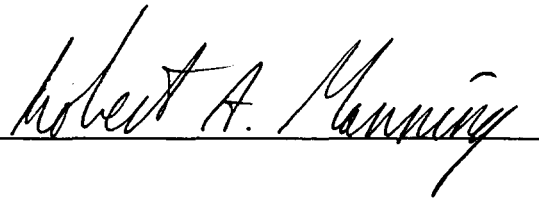
Attorneys for CITY OF GAINESVILLE,  
GAINESVILLE REGIONAL UTILITIES

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following  
by U.S. Mail on this 28 day of May, 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

  
\_\_\_\_\_