

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**CITY OF 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, City of 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 counsel for the Respondent Department. The Department 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 June 5, 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 15 day of April 1998 in Tallahassee,
Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

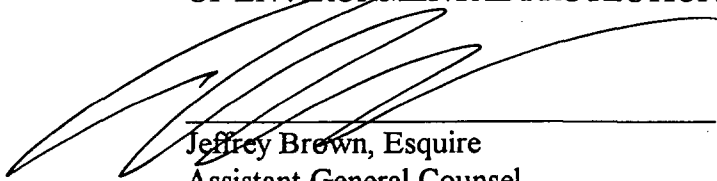

F. PERRY ODOM
General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-3000
Telephone: (904) 488-9314

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to Angela R. Morrison, 123
South Calhoun Street, Post Office Box, Tallahassee, Florida 32314, and Robert A. Mannig, 123
South Calhoun Street, Post Office Box, Tallahassee, Florida 32314, on this 15 day of
April 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Jeffrey Brown, Esquire
Assistant General Counsel
Florida Bar No.: 0843430

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-3000
Telephone: (904) 488-9730

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

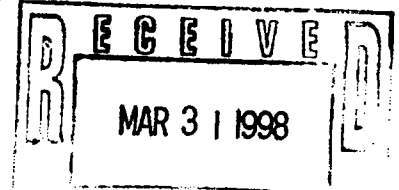
In the Matter of an
Application for Permit by:

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 June 5, 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 February 27, 1998, the Department granted an extension until April 6, 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.

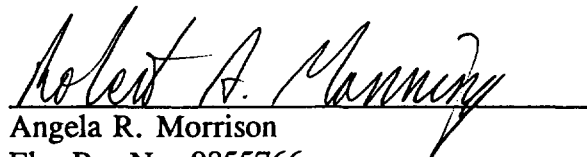
5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Scott Sheplak with the Department's Bureau of Air Regulation has agreed to an extension until June 5, 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 June 5, 1998.

Respectfully submitted this 30th day of March, 1998.

HOPPING GREEN SAMS & SMITH, P.A.



Angela R. Morrison
Fla. Bar No. 0855766
Robert A. Manning
Fla. Bar No. 0035173
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

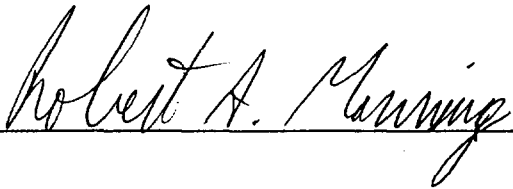
Attorneys for CITY OF GAINESVILLE,
GAINESVILLE REGIONAL UTILITIES

CERTIFICATE OF SERVICE

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



Scott

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

MAR 31 1998

In the Matter of an
Application for Permit by:

OGC No. 97-1771

BUREAU OF
AIR REGULATION

City of Gainesville, Gainesville
Regional Utilities
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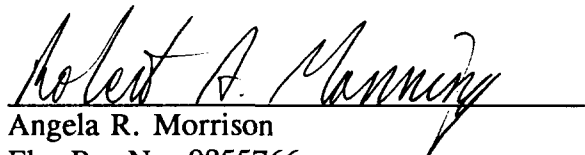
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Attorneys for CITY OF GAINESVILLE,
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