

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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NOV 20 1997

BUREAU OF  
AIR REGULATION

GAINESVILLE REGIONAL UTILITIS  
(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, GAINESVILLE REGIONAL UTILITIES, to grant an extension of time to file a petition for an administrative hearing on Permit No. 0010006-001-AV. See Exhibit 1.

Counsel for Petitioner has discussed this request with counsel for the Department, and 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 until January 5, 1998, to file a petition in this matter. Filing shall be complete on 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 18th day of November, 1997, 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

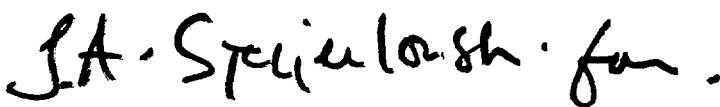
CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to:

Angela R. Morrison  
123 South Calhoun Street  
Tallahassee, Florida 32314

on this 19 day of November, 1997.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
JEFFREY BROWN  
Assistant General Counsel  
Florida Bar No. 0843430

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

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NOV 14 1997

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Dept. of Environmental Protection  
Office of General Counsel

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 January 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 November 7, 1997, the Department granted an extension until November 21, 1997, to file a petition in this matter.

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

4. Representatives of GRU plan to meet and 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. Lennon Anderson and Scott Sheplak with the Department's Bureau of Air Regulation have agreed to an extension until January 5, 1998, on behalf of the Department. Representatives from GRU have attempted without success to contact Jeffrey Brown with the 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 January 5, 1998.

Respectfully submitted this 14th day of November, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

  
Angela R. Morrison, Fla. Bar No. 0855766  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

Attorney 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 14th day of November, 1997:

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

  
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THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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BUREAU OF  
AIR REGULATION

In the Matter of an  
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OGC No. 97-1771

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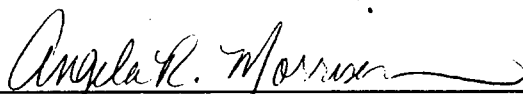
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HOPPING GREEN SAMS & SMITH, P.A.

  
Angela R. Morrison, Fla. Bar No. 0855766  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

Attorney for CITY OF GAINESVILLE,  
GAINESVILLE REGIONAL UTILITIES

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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

  
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12/5/97 cc: Scott Sheplak  
Jeresa Heron