

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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BUREAU OF AIR REGULATION

GULF POWER COMPANY  
(LANSING SMITH UNIT 3),

Petitioner,

vs.

OGC CASE NO. 99-2037

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

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

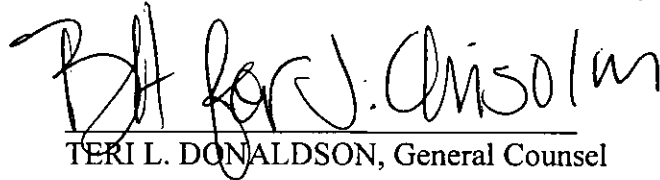
This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner Gulf Power Company to grant an extension of time to file a petition for an administrative hearing on Proposed Permit No. PSD-FL-269, Facility I.D. No. 0050014. See Exhibit 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 January 31, 2000, 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 20<sup>th</sup> day of December 1999 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



TERI L. DONALDSON, General Counsel  
3900 Commonwealth Boulevard, M.S. 35  
Tallahassee, Florida 32399-3000

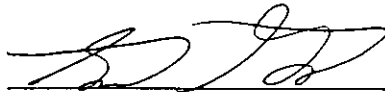
**CERTIFICATE OF SERVICE**

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, Esquire  
Douglas S. Roberts, Esquire  
HOPPING, GREEN, SAMS & SMITH  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, Florida 32314-6526

on this 21<sup>st</sup> day of December 1999.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Scott A. Goorland  
Senior Assistant General Counsel  
Florida Bar No. 0066834

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

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an  
Application for Permit by:

OGC CASE NO. 99-2037

Gulf Power Company  
One Energy Place  
Pensacola, FL 32520

DEP File No.: PA 99-40  
PROPOSED Permit No.: PSD-FL-269  
Lansing Smith Electric Generating Plant  
Unit 3 Combined Cycle Unit  
/ Bay County

**REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, Gulf Power Company hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an extension of time, to and including April 3, 2000, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Gulf Power Company states the following:

1. On or about November 5, 1999, Gulf Power Company received from the Department of Environmental Protection (Department) an "Intent to Issue PSD Permit" (Permit No. PSD-FL-269) for Unit 3, Lansing Smith Electric Generating Plant, Bay County, Florida. Along with the Intent to Issue, Gulf Power Company received a proposed PSD permit and "Public Notice of Intent to Issue PSD Permit."
2. The proposed permit contains several provisions that warrant clarification or correction.
3. Representatives of Gulf Power Company will meet and correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve the issues identified by Gulf Power Company.

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DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
OFFICE OF GENERAL COUNSEL

EXHIBIT 1

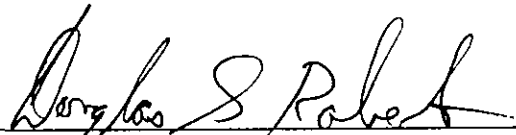
4. This request is filed simply as a protective measure to avoid waiver of Gulf Power Company's right to challenge certain conditions contained in the proposed PSD permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a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

5. Undersigned counsel has contacted Scott Goorland with the Department's Office of General Counsel to discuss Gulf Power Company's request for an extension of time until April 3, 2000. At this time, he has no position on this request.

WHEREFORE, Gulf Power Company respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue PSD Permit for Permit No. PSD-FL-269 be formally extended to and including April 3, 2000.

Respectfully submitted this 19<sup>th</sup> day of November, 1999.

HOPPING GREEN SAMS & SMITH, P.A.



Angela R. Morrison, Fla. Bar No. 0855766  
Douglas S. Roberts, Fla. Bar No. 0559466  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

Attorneys for GULF POWER COMPANY

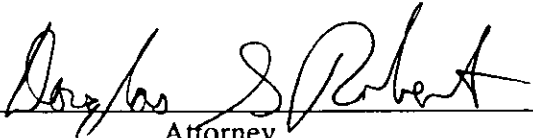
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by

U.S. Mail on this 19th day of November, 1999:

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

✓ Scott Goorland, Esq.  
Office of General Counsel  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2600

  
\_\_\_\_\_  
Attorney