

Scott

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

AUG 13 1999

BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

OGC No. 97-1822

Gulf Power Company  
One Energy Place  
Pensacola, FL 32520

Permit No.: 0050014-001-AV  
Smith Plant  
Bay County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Gulf Power Company (Gulf) hereby requests, pursuant to Florida Administrative Code Rules 62-110.106(4), an extension of time, to and including October 15, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Gulf states the following:

1. On or about October 13, 1997, Gulf received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0050014-001-AV) for the Smith Plant located in Bay County, Florida. Along with the Intent to Issue, Gulf received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. By order dated August 5, 1999, the Department granted an extension of time until August 16, 1999, within which to file a petition for an administrative hearing.

3. The draft permit and associated documents contain several provisions that warrant clarification or correction.

4. Representatives of Gulf have corresponded and intend to continue to correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.

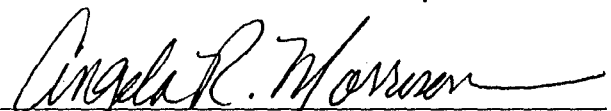
5. This request is filed simply as a protective measure to avoid waiver of Gulf's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Counsel for Gulf has attempted without success to contact Scott Goorland with the Department's Office of General Counsel regarding this request.

WHEREFORE, Gulf 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. 0050014-001-AV be formally extended to and including October 15, 1999. If the Department denies this request, Gulf requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 12<sup>th</sup> day of August, 1999.

HOPPING GREEN SAMS & SMITH, P.A.



Angela R. Morrison, Esq.

Fla. Bar No. 0855766

123 South Calhoun Street

Tallahassee, FL 32301

(850) 222-7500

Attorney for GULF POWER COMPANY

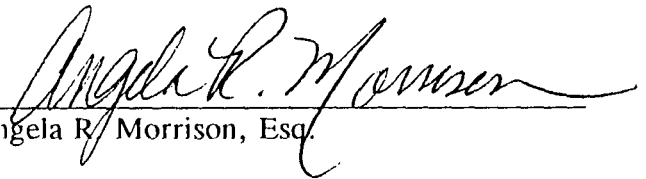
CERTIFICATE OF SERVICE

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

U.S. Mail on this 12<sup>th</sup> day of August, 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

  
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Angela R. Morrison, Esq.