



21 West Church Street  
Jacksonville, Florida 32202-3139

October 28, 2008

*Eady*  
RECEIVED

OCT 30 2008

BUREAU OF AIR REGULATION

*Via Electronic Mail & Hard Copy Delivery*

Trina Vielhauer, Chief  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399

RE: JEA Greenland Energy Center  
Combined Cycle Conversion Project  
DEP File No. 0310561-002-AC (PSD-FL-405)

Dear Ms. Vielhauer:

JEA respectfully requests a twelve-month extension of time to submit a response to the Department of Environmental Protection's October 15, 2008, request for additional information for the Greenland Energy Center Combined Cycle Conversion Project air construction permit application, referenced above. In support of its request, JEA submits the following:

1. On September 16, 2008, JEA submitted a prevention of significant deterioration (PSD) air construction permit application to the Bureau of Air Regulation for the JEA Greenland Energy Center Combined Cycle Conversion Project (DEP File No. 0310561-002-AC (PSD-FL-405)). On the same date, JEA filed a Site Certification Application with the Department's Office of Siting Coordination for the same project (DOAH Case No. 08-4750, DEP OGC Case No. 08-2333, and PPSA No. PA-08-52).
2. On October 15, 2008, pursuant to Rules 62-4.055 and 62-4.070, F.A.C., the Department sent a letter to JEA requesting submittal of additional information prior to further processing the Greenland Energy Center Combined Cycle Conversion Project air construction permit application.
3. Due to a decision by the City of Jacksonville's City Council Land Use and Zoning Committee on October 7, 2008, to defer a necessary land use amendment for the Greenland Energy Center site, the appropriate land use designation will not be in place until approximately November of 2009. This delay will affect the schedule for processing the Site Certification Application, essentially causing a twelve-month delay.
4. Additionally, in October of 2008, JEA made a decision to delay several capital projects in light of recent developments in the credit markets, including the Greenland Energy Center Combined Cycle Conversion Project. Specifically, JEA made a decision to delay

Trina Vielhauer  
Department of Environmental Protection  
October 28, 2008  
Page 2

commencement of construction of the Greenland Energy Center Combined Cycle Conversion Project for a period of twelve months, until approximately the first quarter of 2011 rather than the first quarter of 2010 as initially planned.

5. Pursuant to Section 403.5095, Florida Statutes, JEA and the Department have stipulated that the Greenland Energy Center Site Certification case should be held in abeyance for up to twelve months, and a Joint Motion to Hold Case in Abeyance will be filed with the Division of Administrative Hearings on October 28, 2008. JEA and the Department believe that the motion will be granted and that the case will be held in abeyance for a period of up to twelve months (until October 29, 2009).

6. Section 403.508(8), Florida Statutes, provides that issuance of a PSD air construction permit for a power plant project subject to certification under the Florida Electrical Power Plant Siting Act is to be coordinated with the certification process the project. That section specifically provides as follows: "It is the intent of the Legislature that the review, processing, and issuance of such federally delegated or approved permits [e.g., PSD permit] be *closely coordinated* with the certification process established under this part."

7. Rule 62-4.055(1), F.A.C., provides that extensions of time to respond to a Department request for additional information for a permit application shall be granted for good cause shown by the applicant. Because the Site Certification process for JEA's Combined Cycle Conversion Project is being delayed for twelve months due to a delay in a necessary land use change for the project site and due to a delay in commencement of construction tied to the credit market; and because the Power Plant Siting Act encourages that the review, processing, and issuance of PSD permits be "closely coordinated" with the Site Certification process, good cause exists for a twelve-month extension of time for submittal of a response to the request for additional information for the Combined Cycle Conversion Project PSD air construction permit application.

Based on JEA's October 23, 2008, meeting with you, Al Linero, and Ronni Moore, we understand that the Department has no objection to this request for a twelve-month extension of time within which to submit responses to the Department's October 15, 2008, request for additional information for the processing of the above-referenced air construction permit application. The response to the October 15, 2008, request would have been due within 90 days or by January 14, 2009. A twelve-month extension would require submittal of the information by January 14, 2010.

JEA and the Department have agreed to meet in September of 2009 and to submit a revised initial schedule for the Site Certification process by September 29, 2009. Consistent with that approach, JEA will notify the Department's Bureau of Air Regulation by September 29, 2009, of

Trina Vielhauer  
Department of Environmental Protection  
October 28, 2008  
Page 3

its intent to submit the information requested on October 15, 2008, for the air construction permit application by the new deadline of January 14, 2010 or earlier.

We sincerely appreciate the Department's assistance and cooperation in this matter. If you have any questions or if the Department would like a status update at any time over the next twelve months, please do not hesitate to contact Jay Worley at 904-665-8729.

Sincerely,



James Chansler  
Chief Operating Officer

cc: Ronni Moore, DEP OGC  
Al Linero, DEP  
Jay Worley, JEA