

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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BUREAU OF  
AIR REGULATION

GULF POWER COMPANY  
(CRIST PLANT)

Petitioner,

vs.

OGC CASE NO. 97-1824

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

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**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 Permit No. 0330045-001-AV. See Exhibit 1.

Although Counsel for Petitioner has not discussed this request with counsel for the 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 until December 31, 1997, 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

*Jack Chisolm, Jr.*  
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

*J.A. Spiculowski, Jr.*

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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THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTIONDept. of Environmental Protection  
Office of General CounselIn the Matter of an  
Application for Permit by:

OGC No. 97-1824

Gulf Power Company  
One Energy Place  
Pensacola, FL 32520DRAFT Permit No.: 0330045-001-AV  
Crist Plant  
Escambia CountyREQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Gulf Power Company (Gulf) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including December 31, 1997, 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 6, 1997, Gulf received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0330045-001-AV) for the Crist Plant located in Escambia 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 November 7, 1997, the Department granted an extension of time until November 14, 1997, within which to file a petition for an administrative hearing.
3. Based on Gulf's review, 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.

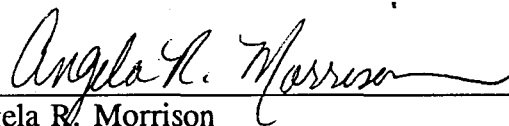
5. This request is filed simply as a protective measure to avoid waiver of Gulf's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Jeffrey Brown with the Department's Office of General Counsel has agreed to an extension until December 31, 1997 on behalf of the Department.

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. 0330045-001-AV be formally extended to and including December 31, 1997.

Respectfully submitted this 14th day of November, 1997.

HOPPING GREEN SAMS & SMITH, P.A.



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