

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTH POND ENERGY PARK, LLC,

Petitioner,

v.

OGC #01-1712

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

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


This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner South Pond Energy Park, LLC (South Pond), to grant an extension of time to file a petition for an administrative hearing on the Intent to Issue an air construction permit that would authorize the construction of a nominal 600 megawatt natural gas fired combustion turbine at the South Pond Energy Park in Fort Green, Hardee County. 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 Monday, May 13, 2002, 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, Mall Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 13 day of February, 2002, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
850-488-9314 facsimile 850-921-3000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile only this 15th day of February, 2002, to:

Lawrence N. Curtin
Susan L. Stephens
HOLLAND & KNIGHT
P.O. Drawer 810
Tallahassee, FL 32302-0810
facsimile 224-8832

facsimile: 224-8832

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W. DOUGLAS BEASON,
Assistant General Counsel
Florida Bar No. 379239
3900 Commonwealth Boulevard, MS #35
Tallahassee, Florida 32399-3000
Telephone (850) 488-9314
Facsimile (850) 921-3000

With a courtesy copy to:

Ed Svec, DEP via facsimile only 922-6979

southPOND

ENERGY PARK
A Conestoga Group company



111 Market Place, Suite 200
Baltimore, MD 21202
Phone: 410-230-4600
Fax: 410-230-4847

FAX

Date: 9/24/2001
Number of pages including cover sheet: 2

TO: Ed Svec
Company: Florida DEP
Fax 850-922-6979

FROM: Rick Wolfinger
Phone: 410-230-4614
Fax : 410-230-4847

REMARKS: Urgent For your review Reply ASAP Please comment

MESSAGE:

Mr. Svec,

Please find attached a letter confirming a phone conversation between Mr. Wolfinger and Mr. Sheplak last week, whereby South Pond Energy, LLC agreed to another 45-day extension for FDEP to issue a draft air permit.

An original will follow via US Postal Service.

Should you have any questions, please do not hesitate to call Mr. Wolfinger at the above number or myself at 410-230-4632.

Regards,

Celina M. Raimundo
Sr. Administrative Assistant, Development

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southPOND
ENERGY PARK
A Carolina Power & Light Company



September 21, 2001

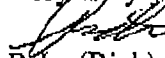
Mr. Edward J Svec
Florida Department of Environmental Protection
Bureau of Air Resources
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: DEP File No. 0490045-001-AC (PSD-FL-307)
South Pond Energy Park

Dear Mr. Svec:

This letter confirms my telephone conversation with Scott Sheplak last week where by South Pond Energy Park, LLC agreed to another 45-day extension for FDEP to issue a draft air permit. This would put the draft air permit issuance date at approximately October 31, 2001. I did express my concern that as FDEP issues draft and final air permits on other power projects, it may be applying ever tighter air standards on South Pond Energy Park developed after the air permit should have been issued not because of a BACT analysis but because other power plants have agreed to a LAER standard.

Very truly yours,


R.L. (Rick) Wolfinger
Vice President

Cc: Ken Kosky - Golder
Manitia Moultrie - Golder
Larry Curtin- Holland and Knight
Jeff McCormack, Attorney Constellation