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THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

OGC No.: 08-2085  
FDEP Draft Permit No. PSD-FL-403  
Project No. 0750088-001-AC

Progress Energy Florida, Inc.  
Levy Nuclear Plant  
Levy County, Florida

**THIRD REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress Energy) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including January 16, 2009, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress Energy states the following:

1. On or about July 31, 2008, Progress Energy received from the Department of Environmental Protection ("Department") an "Intent to Issue Air Permit" and accompanying "Draft Permit" (Draft Permit No. PSD-FL-403, Project No. 0750088-001-AC) and Technical Evaluation and Preliminary Determination, for the Levy Nuclear Plant, Unit 1 and 2 Cooling Towers, which is located approximately 4 miles northwest of the town of Ingilis, east of State Highway 19 in Ingilis, Levy County, Florida.
2. Based on Progress Energy's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. On November 18, 2008, Progress Energy submitted written comments and will be discussing with the Department possible resolutions to the issues needing clarification or correction.

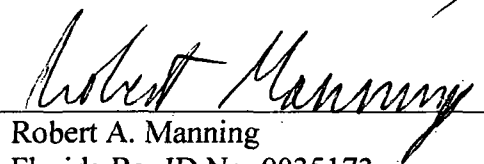
4. On October 22, 2008 the Department granted Progress Energy's second request for extension of time until November 24, 2008 to file a petition in this matter.

5. This request is filed simply as a protective measure to avoid waiver of Progress Energy's right to challenge certain conditions contained in the Draft Permit, in the event resolution cannot be reached. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a Petition and proceed to a formal administrative hearing.

WHEREFORE, Progress Energy respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Air Permit No.PSD-FL-403 (Project No. 0750088-001-AC) be formally extended to and including January 16, 2009.

RESPECTFULLY SUBMITTED this 24th day of November, 2008.

By:

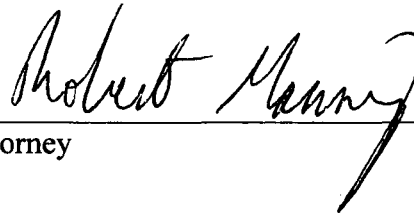


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Attorneys for Progress Energy  
Florida, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Lea Crandall, Agency Clerk, and Jack Chisolm, Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Room 659, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399, this 24th day of November, 2008.



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Attorney

**Hopping Green & Sams**

Attorneys and Counselors

Post Office Box 6526  
Tallahassee, Florida 32314

**Trina Vielhauer  
Florida Department of Environmental  
Protection  
Division of Air Resource Management  
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