

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

AUG 26 2002

IN RE:

FLORIDA POWER & LIGHT CO.  
MANATEE COUNTY, FLORIDA

DRAFT REVISION TO TITLE V

PERMIT NO. 0810010-008-AV

OGC CASE NO. 02-1066

BUREAU OF AIR REGULATION

REQUEST FOR ENLARGEMENT OF TIME

FLORIDA POWER & LIGHT CO. ("FPL"), by and through undersigned counsel, and pursuant to Florida Administrative Code Rule 62-110.106(4), hereby requests an enlargement of time, to and including October 7, 2002, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPL states:

1. On or about July 9, 2002, FPL received from the Department of Environmental Protection ("Department") an "Intent to Issue" revisions to the Title V Permit and accompanying "Draft Permit" revisions and "Statement of Basis" regarding the addition of natural gas as a fuel for Units 1 and 2 located at FPL's Manatee Power Plant in Manatee County, Florida. The "Intent to Issue" advised that FPL had fourteen days from receipt in which to file a Petition for Administrative Proceedings on the Department's proposed action.

2. FPL requested and was granted an extension of time until August 22, 2002, to file a Petition for Administrative Proceedings.

3. The Draft Title V Permit revisions and related documents raised issues and contain provisions that warrant clarification or correction. Changes are also needed to the Draft Title V Permit revisions for consistency with a recently issued final Air Construction Permit that also addresses the use of natural gas at Manatee Units 1 and 2. FPL intends to send a letter to the

Department providing its comments on the Draft Title V Permit revisions.

4. Accordingly, FPL requests an additional extension of time through and until October 7, 2002, in which to file a Petition for Administrative Proceedings on the referenced Draft Title V Permit revisions pursuant to Sections 120.569 and 120.57, Florida Statutes, and Rule 62-110.106(4), Florida Administrative Code.

5. This request is filed simply as a protective measure to avoid waiver of FPL's right to challenge certain provisions of the Draft Title V Permit revisions in the event a mutually agreeable resolution of the issues cannot be reached. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to initiate formal administrative proceedings in this matter.

5. Undersigned counsel has spoken with W. Douglas Beason of the Department of Environmental Protection, who states that he has no objection to the request for this enlargement of time.

WHEREFORE, Florida Power & Light Co. respectfully requests that the time for filing of a Petition for Administrative Proceedings regarding the Department's Intent to Issue the above-referenced Draft Title V Permit revisions be formally extended to and including October 7, 2002. If the Department denies this Request, FPL respectfully requests an opportunity to file a Petition for Administrative Proceedings within ten days of such denial.

Respectfully submitted this 21<sup>ST</sup> day of August, 2002.

HOPPING GREEN & SAMS, P.A.

By: 

Peter C. Cunningham  
Florida Bar No. 0321907  
Angela R. Morrison  
Florida Bar No. 0855766  
Post Office Box 6526  
Tallahassee, FL 32314  
850-222-7500

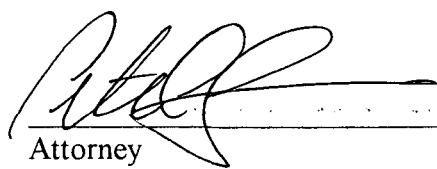
Attorneys for FLORIDA POWER & LIGHT CO.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by  
U.S. Mail on this 21<sup>ST</sup> day of August, 2002:

Scott Sheplak  
Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

W. Douglas Beason  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

  
\_\_\_\_\_  
Attorney