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**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

CITY OF LAKE WORTH UTILITIES,
(TOM G. SMITH POWER PLANT and
LAKE WORTH WATER TREATMENT PLANT),

Petitioner,

vs.

OGC CASE NO. 97-1487

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**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 CITY OF LAKE WORTH UTILITIES to grant an extension of time to file a petition for an administrative hearing on Application No. 0990045-002-AV. See Exhibit 1.

Counsel for Petitioner has discussed this request with counsel for the Respondent State of Florida Department of Environmental Protection, which has no objection to granting a partial extension of time. Therefore,

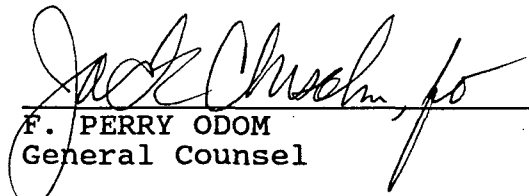
IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until October 17, 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 30th day of September 1997 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


F. PERRY ODOM
General Counsel

Douglas Building, MS #35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314

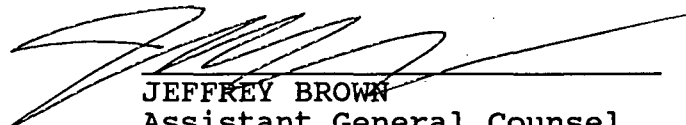
CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was faxed and
mailed to:

Angela R. Morrison
HOPPING GREEN SAMS & SMITH, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, Florida 32314

on this 1 day of October, 1997.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JEFFREY BROWN
Assistant General Counsel
Florida Bar No. 0843430

Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9730

SEP 29 1997

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC No. 97-1487

City of Lake Worth Utilities
1900 2nd Avenue North
Lake Worth, Florida 33461

DRAFT Permit No.: 0990045-002-AV
Tom G. Smith Power Plant and
Lake Worth Water Treatment Plant
Palm Beach County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, City of Lake Worth Utilities (Lake Worth) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including November 17, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. As good cause for granting this request, Lake Worth states the following:

1. On or about August 20, 1997, Lake Worth received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0990045-002-AV) for the Tom G. Smith Power Plant and Lake Worth Water Treatment Plant in Palm Beach County, Florida. Along with the Intent to Issue, Lake Worth received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."
2. On September 2, 1997 Lake Worth requested an extension until October 3, 1997. While an order officially granting these requests has not yet been issued, representatives from the Department orally agreed to the extensions until October 3, 1997.
3. Based on Lake Worth's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

4. Lake Worth has corresponded and is continuing to correspond with the Department in an effort to resolve all issues.

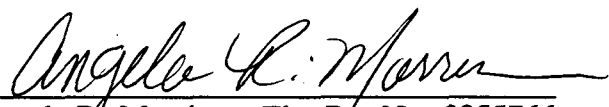
5. This request is filed simply as a protective measure to avoid waiver of Lake Worth's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition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

6. Joseph Kahn with the Department's Bureau of Air Regulation agreed to the extension to and until November 17 on behalf of the Department. Counsel for Lake Worth has attempted without success to contact Jeffrey Brown with the Department's Office of General Counsel regarding this request.

WHEREFORE, Lake Worth respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's Intent to Issue Title V Air Operation Permit for Permit No. 0990045-002-AV be formally extended to and including November 17, 1997.

Respectfully submitted this 25th day of September, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


Angela R. Morrison, Fla. Bar No. 0855766
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

Attorney for CITY OF LAKE WORTH
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 25th day of September, 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

