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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 CASE NO.:
FDEP Revised Draft Permit No.: 1010017-003-AV

Florida Power Corporation
Anclote Power Plant, Pasco County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Florida Power Corporation (FPC) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including February 1, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPC states the following:

1. On or about August 21, 1997, FPC received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1010017-003-AV) for the FPC Anclote Power Plant located in Pasco County, Florida. On September 4, 1997, FPC filed a Petition for Administrative Proceeding on this permit.

2. On or about November 30, 1998, FPC received from the Department an "Intent to Issue Title V Air Operation Permit" (**REVISED** Draft Permit No. 1010017-003-AV) for the FPC Anclote Power Plant.

3. The Department's cover letter to the Revised permit states that the initial Draft Title V permit is withdrawn. In reliance on this representation, FPC hereby files this Request for Extension of Time on the Revised Draft permit, and separately, is filing a Notice of Withdrawal of its Petition on the initial Draft Permit. Nonetheless, insofar as the initial Draft Title V permit may be determined

to still be in effect, FPC respectfully reserves its right to pursue its Petition on the initial Draft Title V permit.

4. Based on FPC's review, the Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

5. This request is filed simply as a protective measure to avoid waiver of FPC's right to challenge certain conditions contained in the Revised Draft Title V permit. 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, FPC 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 Revised Draft Permit No. 1010017-003-AV be formally extended to and including February 1, 1999.

Respectfully submitted this 14 day of December, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By: Robert A. Manning

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12/17/98 cc: Mike Holpin

CERTIFICATE OF SERVICE

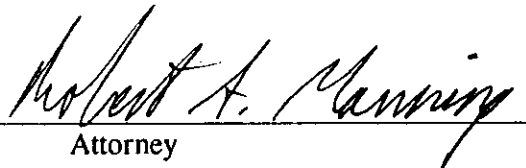
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by U.S.

Mail on this 14 day of December, 1998:

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THE STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

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BUREAU OF
AIR REGULATION

FLORIDA POWER CORPORATION

Petitioner,
vs.

DOAH Case No. 97-004388
DEP OGC Case No. 97-1584

**STATE OF FLORIDA, DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

Respondent.

_____ /

**NOTICE OF WITHDRAWAL OF PETITION FOR
FORMAL ADMINISTRATIVE HEARING**

The Florida Power Corporation (FPC), by and through undersigned counsel, hereby withdraws its Petition for Formal Administrative Hearing, which was filed pursuant to Sections 120.569, 120.57 and 403.0872(5), Florida Statutes and Florida Administrative Code Rules 62-103.155, 28-106.201, and 60Q-2.004, based upon the understanding that the initial Draft Title V permit has been "withdrawn." This Notice is based upon the following:

1. FPC filed a Petition on the initial Draft Title V permit on September 4, 1997, in response to the Department of Environmental Protection's (Department) issuance of the "Intent to Issue Title V Air Operation Permit" (Permit No. 1010017-003-AV) for the Anclote Power Plant located in Pasco County, Florida.

2. FPC filed a Status Report and Request for Extension of Time on December 1, 1998, requesting until February 1, 1999 within which to negotiate a settlement of the Petition.

3. On or about November 30, 1998, FPC received from the Department a Revised Draft Title V permit, which stated that the initial Draft Title V permit, upon which the Petition is based, is "withdrawn."

4. Based on the Department's withdrawal of the initial Draft Title V permit, FPC has no basis for retaining its Petition on this initial Draft permit. Therefore, FPC is voluntarily withdrawing its petition on the initial Draft Title V permit based upon the understanding that FPC will have all rights under the Administrative Procedure Act associated with the issuance of the Revised Draft Title V permit, including the right to Petition for an Administrative Hearing on this Revised Draft.

5. In this regard, FPC is also filing today, separately, a Request for Extension of Time to file a Petition for Administrative Hearing on the Revised Draft Title V permit.

6. FPC is not waiving any of its rights in relation to the initial or Revised Draft Title V permits. To the extent the initial Draft Title V permit remains in existence, FPC retains its Petition on the initial Draft Title V permit.

Respectfully submitted this 14 day of December, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By:

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12/17/98
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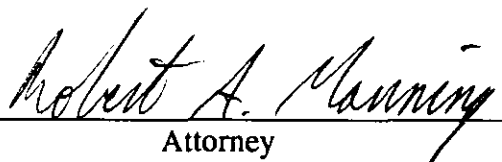
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