

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED  
AUG 14 1997  
BUREAU OF  
AIR REGULATION

In the Matter of an  
Application for Permit by:

OGC No. 97-1107

Lakeland Electric & Water Utilities  
501 East Lemon Street  
Lakeland, Florida 33801-5079

DRAFT Permit No.: 1050004-003-AV  
C.D. McIntosh, Jr. Power Plant  
Polk County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Lakeland Electric & Water Utilities (Lakeland) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including September 2, 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, Lakeland states the following:

1. On or about June 6, 1997, Lakeland received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 1050004-003-AV) for the C.D. McIntosh, Jr. Power Plant located in Polk County, Florida. Along with the Intent to Issue, Lakeland received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. By order dated July 11, 1997, the Department granted an extension of time until July 21, 1997, within which to file a petition for an administrative hearing. Lakeland requested additional extensions until August 18, 1997. While an order officially granting these requests has not yet been issued, representatives from the Department orally agreed to the extensions until August 18, 1997.

3. Based on Lakeland's review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

4. Lakeland has corresponded and met with Department representatives in an effort to resolve the issues identified and only a few issues remain.

5. Lakeland believes that the remaining issues can be resolved without the need for a formal hearing or mediation.

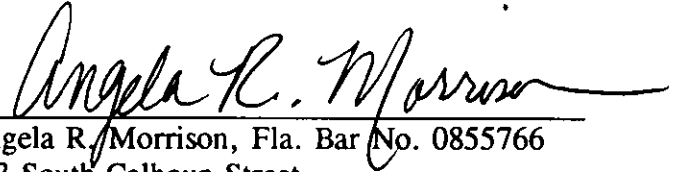
6. This request is filed simply as a protective measure to avoid waiver of Lakeland's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition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

7. Scott Sheplak with the Bureau of Air Regulation has agreed to a 14-day extension on behalf of the Department. Counsel for Lakeland has also contacted W. Douglas Beason with the Office of General Counsel regarding this request, and he has no objection.

WHEREFORE, Lakeland 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. 1050004-003-AV be formally extended to and including September 2, 1997.

Respectfully submitted this 13th day of August, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

A handwritten signature in cursive script that reads "Angela R. Morrison". The signature is written in black ink and is positioned above a horizontal line.

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

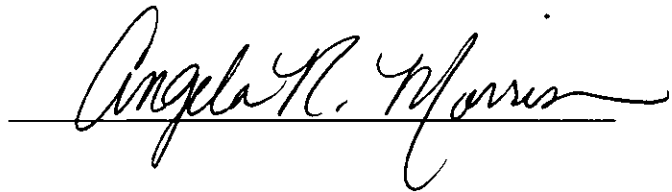
Attorney for LAKELAND ELECTRIC & WATER  
UTILITIES

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following  
by U.S. Mail on this 13th day of August, 1997:

Clair H. Fancy, P.E.  
Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2600

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

A handwritten signature in cursive script, reading "Angela N. Morris", is written over a horizontal line.

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