

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC No.: 02-0856

Lakeland Electric
501 East Lemon Street
Lakeland, FL 33801-5079

Permit No.: PSD-FL-245
McIntosh Unit 5 Combined Cycle Unit
Polk County, Florida

REQUEST FOR THIRD EXTENSION OF TIME

By and through undersigned counsel, Lakeland Electric (Lakeland) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), a third extension of time, to and including November 12, 2002, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Lakeland states the following:

1. On June 3, 2002, Lakeland received from the Department of Environmental Protection (Department) a "Draft PSD Permit Modification" (DEP File No. PSD-FL-245) related to startup emissions on the McIntosh Unit 5 Combined Cycle Unit located in Polk County, Florida.
2. The Draft PSD Permit Modification contains several provisions that warrant clarification, correction, or revision.
3. Lakeland submitted a second request for extension of time until September 3, 2002 to file a petition for administrative hearing, and an order granting an extension of time until September 30, 2002 was issued by the Department on August 12, 2002.
4. A representative of Lakeland has contacted Al Linero of the Department's Bureau of Air Regulation regarding this request, and he has no objection. Counsel for Lakeland has contacted Douglas Beason with the Department's Office of General Counsel regarding this request, and he has no objection.

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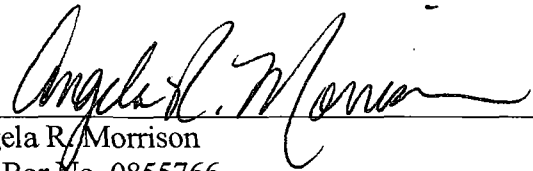
BUREAU OF AIR REGULATION

5. This request is filed simply as a protective measure to avoid waiver of Lakeland's right to challenge certain conditions contained in the proposed 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.

WHEREFORE, Lakeland respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Draft PSD Permit Modification for Permit No. PSD-FL-245 be formally extended to and including November 12, 2002. If the Department denies this Request, Lakeland requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 24th day of September, 2002.

HOPPING GREEN & SAMS, P.A.



Angela R. Morrison
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Attorneys for LAKELAND ELECTRIC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing has been furnished by hand-delivery to the Clerk of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, and that a true and correct copy of the foregoing has been furnished to the following by U.S. Mail this 24th day of September, 2002:

Douglas Beason, Esq.
Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399

Al Linero
Division of Air Resources Management
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400



ATTORNEY