

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Scott
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JUN 23 1997

In the Matter of an
Application for Permit by:

OGC No. _____

BUREAU OF
AIR REGULATION

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 July 21, 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, 1996, 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. Based on Lakeland's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

3. Lakeland is in the process of developing a letter to the Department describing the issues identified and changes suggested.

4. Representatives of Lakeland intend to discuss this matter with staff of the Department's Bureau of Air Regulation in the near future in an effort to resolve all issues.

5. 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.


6. Clair Fancy, Chief of the Bureau of Air Regulation, agreed to a 30-day extension on behalf of the Department. Counsel for Lakeland has attempted without success to contact W. Douglas Beason with the Office of General Counsel regarding this request.

7. Lakeland will publish the notice of intent to issue within 30 days.

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 July 21, 1997.

Respectfully submitted this 20th day of June, 1997.

HOPPING GREEN SAMS & SMITH, P.A.


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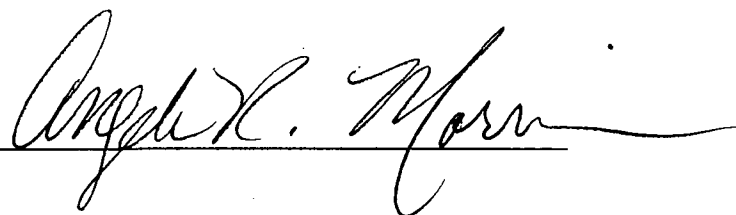
Attorney for LAKELAND ELECTRIC & WATER
UTILITIES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following
by U.S. Mail on this 20th day of June, 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 "August K. Mann", is written over a horizontal line.

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