

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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In the Matter of an
Application for Permit by:

OGC CASE NO. 98-2966

Florida Power Corporation,
Tiger Bay Cogeneration Facility

DRAFT Permit No.: 1050223-002-AV
Polk County, Florida

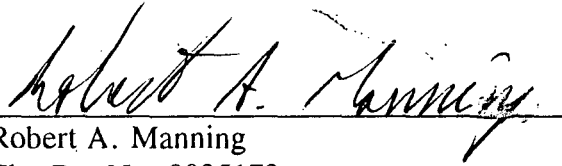
**NOTICE OF WITHDRAWAL OF REQUEST
FOR EXTENSION OF TIME**

The Florida Power Corporation (FPC), by and through undersigned counsel, hereby withdraws its Request for Extension of Time to file a petition for formal administrative proceedings in accordance with Chapter 120, Florida Statutes. FPC filed its last Request for Extension of Time on May 27, 1999, in response to the "Intent to Issue Title V Air Operation Permit" (Permit No. 1050223-002-AV) for the Tiger Bay Cogeneration Facility located in Polk County, Florida, to negotiate certain changes in the draft Title V air operation permit with the Department of Environmental Protection (Department). Based on the FPC comment letter dated January 21, 1999, and subsequent discussions with Department representatives, FPC and the Department have come to an agreement on the issues involving the above-referenced draft Title V permit. The agreement between FPC and the Department is contained in the preliminary proposed Title V permit and two items of correspondence from the Department dated June 10, 1999, June 7, 1999, and June 21, 1999, respectively, copies of which are attached to this Notice.

Therefore, FPC hereby withdraws its Request for Extension, conditioned upon the Department's issuance of the Final Permit in accordance with the Department's agreement with FPC.

Respectfully submitted this 22 day of June, 1999.

HOPPING GREEN SAMS & SMITH, P.A.



Robert A. Manning
Fla. Bar No. 0035173
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(904) 222-7500

Attorneys for Florida Power Corporation

CERTIFICATE OF SERVICE

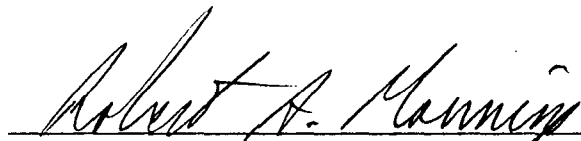
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by

U.S. Mail on this 22 day of June, 1999:

Scott Sheplak
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Jonathan Holtom
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

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



Attorney

Scott Sheplak

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER CORPORATION
(TIGER BAY COGENERATION),

Petitioner,

vs.

OGC CASE NO. 98-2966

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, Florida Power Corporation (Tiger Bay Cogeneration), to grant an extension of time to file a petition for an administrative hearing on Application No. 1050223-002-AV. See Exhibit 1.

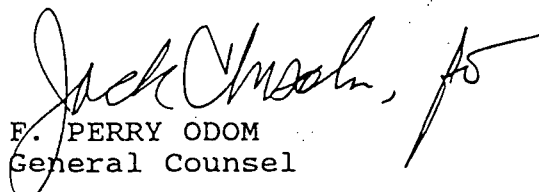
Respondent, State of Florida Department of Environmental Protection, has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until July 1, 1999, 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 8th day of June, 1999, 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

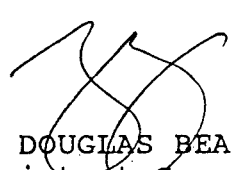
CERTIFICATE OF SERVICE

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

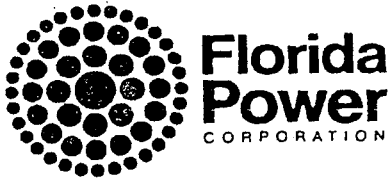
W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
Post Office Box 14042
St. Petersburg, FL 33733-4042

on this 8th day of June, 1999.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


W. DOUGLAS BEASON
Assistant General Counsel
Florida Bar No. 379239

Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314



May 27, 1999

Ms. Kathy Carter, Clerk
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Tiger Bay Cogeneration Facility
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,
Draft Permit No. 1050223-002-AV

On October 30, 1998, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. Accordingly, FPC requests an extension of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including July 1, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties' mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (727) 826-4258.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Jeffrey Pardue".

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

A handwritten signature in black ink, appearing to read "Robert A. Manning".

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Doug Beason, DEP OGC