

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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MAY 31 2000

CALPINE CONSTRUCTION FINANCE  
COMPANY, L.P.,

BUREAU OF AIR REGULATION

Petitioner,

vs.

DEP Draft Permit No.  
PA 00-41(PSD-FL-287)

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

CALPINE'S REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION

Petitioner, Calpine Construction Finance Company, L.P.  
("Calpine"), pursuant to Rule 28-106.111(3), Florida  
Administrative Code, respectfully requests the Department of  
Environmental Protection ("Department") to grant Calpine an  
extension of time to file a petition for a formal administrative  
hearing concerning the Department's draft permit for Calpine's  
Osprey Energy Center (DEP Draft Permit No. PA 00-41(PSD-FL-287))  
(the "Draft Permit"). In support of this request, Calpine says:

1. On March 16, 2000 Calpine filed an application with the  
Department for a prevention of significant deterioration ("PSD")  
permit for Calpine's Osprey Energy Center, a 527 MW electrical  
power plant to be located at 1501 Derby Avenue, Auburndale,  
Florida.

2. On May 11, 2000, the Department distributed its "Public  
Notice of Intent to Issue PSD Permit", Draft Permit, Technical

Evaluation and Preliminary Determination, and Draft BACT Determination for the Osprey Energy Center. As the applicant for the Draft Permit, Calpine is affected by the Department's proposed action.

3. The Draft Permit is lengthy and complex. Calpine's preliminary review of the Draft Permit indicates that some provisions of the Draft Permit are not consistent with Calpine's application. Given these inconsistencies, Calpine needs additional time to carefully review the Draft Permit with its staff and its consultants. After completing its review, Calpine also wants to meet with the Department to discuss the Draft Permit.

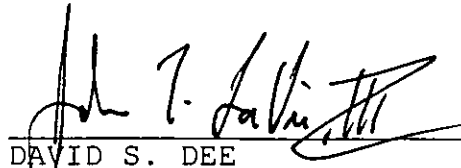
4. Although Calpine does not expect to file a petition for a formal administrative hearing concerning the Draft Permit, Calpine requests a 45-day extension of time to evaluate the provisions in the Draft Permit, and meet with the Department, before Calpine waives its right to a hearing.

5. Petitioner's counsel has discussed this request with Department's counsel, Mr. Scott Goorland. Mr. Goorland indicated that the Department has not yet formulated a position concerning this request.

WHEREFORE, Calpine requests the Department to grant a 45-day extension of time to file a petition for a formal administrative hearing concerning the Draft Permit.

Respectfully submitted this 23rd day of May, 2000.

LANDERS & PARSONS

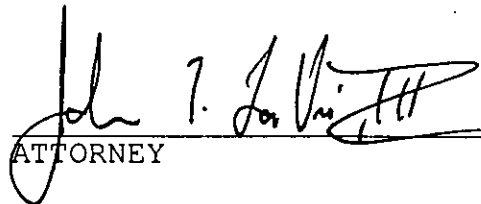


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COUNSEL FOR CALPINE CONSTRUCTION  
FINANCE COMPANY, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing was furnished by hand-delivery to the CLERK'S OFFICE, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., Room 633B, Tallahassee, Florida 32399; and a copy by U.S. Mail to Scott Goorland, Department of Environmental Protection, Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, on this 23rd day of May, 2000.

  
ATTORNEY