

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER CORPORATION
(SUWANNEE RIVER FACILITY),

Petitioner,

vs.

OGC CASE NO. 97-1641

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, to grant an extension of time to file a petition for an administrative hearing on Permit Application No. 1210003-001-AV. See Exhibit 1.

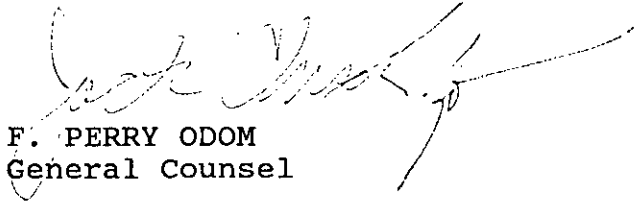
Respondent, State of Florida Department of Environmental Protection, the Department has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until December 31, 1998, 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 7th day of December, 1998, 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

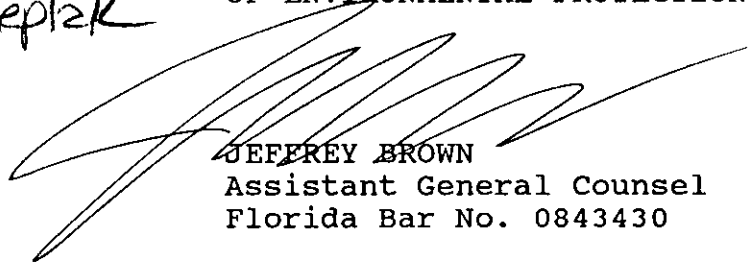
I CERTIFY that a true copy of the foregoing was mailed to:

Robert A. Manning
123 South Calhoun Street
Tallahassee, Florida 32314

on this 8 day of December, 1998.

12/9/98 cc: Bruce Mitchell,
Scott Stepick

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JEFFREY BROWN
Assistant General Counsel
Florida Bar No. 0843430

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

RECEIVED

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THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Dept. of Environmental Protection,
Office of General Counsel

In the Matter of an
Application for Permit by:

OGC CASE NO.:
FDEP Revised Draft Permit No.: 1210003-001-AV

Florida Power Corporation
Suwannee River Facility, Suwannee County, Florida

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, Florida Power Corporation (FPC) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including December 11, 1998, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPC states the following:

1. On or about September 12, 1997, FPC received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1210003-001-AV) for the FPC Suwannee River Facility located in Suwannee County, Florida. FPC subsequently filed several extensions of time, until December 1, 1998, to preserve its right to file a Petition for Administrative Proceeding on this permit.
2. On or about October 26, 1998, FPC received from the Department an "Intent to Issue Title V Air Operation Permit" (**REVISED** Draft Permit No. 1210003-001-AV) for the FPC Suwannee River Facility.
3. The Department's cover letter to the Revised permit states that the initial Draft Title V permit is withdrawn. In reliance on this representation, FPC hereby files this Request for Extension of Time on the Revised Draft permit, and understands that no further extensions of time are needed to preserve its rights in relation to the initial Title V permit because it has been effectively withdrawn.

116262.1

Nonetheless, insofar as the initial Draft Title V permit may be determined to still be in effect, FPC respectfully requests that this Request for Extension of Time apply to both the initial and the Revised Draft Title V permits.

4. Based on FPC's review, the Revised Draft permit and associated documents contain several provisions that warrant clarification or correction.

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

WHEREFORE, FPC respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Revised Draft Permit No. 1020003-001-AV be formally extended to and including December 11, 1998.

Respectfully submitted this 9th day of November, 1998.

HOPPING GREEN SAMS & SMITH, P.A.

By: Robert A. Manning

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Attorneys for FLORIDA POWER
CORPORATION

CERTIFICATE OF SERVICE

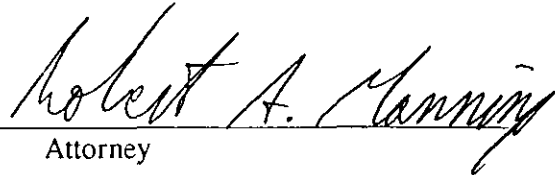
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by U.S.

Mail on this 9th day of November, 1998:

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