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### STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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TAMPA ELECTRIC COMPANY,

Petitioner,

vs.

OGC CASE NO. 97-1515

ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY and STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Respondents.

## 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, Tampa Electric Company, to grant an extension of time to file a petition for an administrative hearing on Application No. 0570040-002-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 May 1, 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 <u>OB</u> day of March, 1998, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

P. PERRY ODOM General Counsel

Douglas Building, MS #35 3900 Commonwealth Boulevard Tallahassee, FL 32399-3000 Telephone: (904) 488-9314

#### CERTIFICATE OF SERVICE

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

Lawrence N. Curtin, Esq. Holland & Knight, LLP Post Office Drawer 810 Tallahassee, FL 32302-0810

Vernon R. Wagner, Esq. Environmental Protection Commission of Hillsborough County 1900 Ninth Avenue Tampa, FL 33605

on this \_\_\_\_\_ day of March, 1998.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

W. DOUGLAS BEAGON
Assistant Ceneral Counsel
Florida Bar No. 379239

Mail Station 35 3900 Commonwealth Boulevard Tallahassee, FL 32399-3000 Telephone: (904) 488-9730

### STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

TAMPA ELECTRIC COMPANY,

Petitioner,

ν.

OGC CASE NO. 97-1515 Draft Title V Permit No. 0570040-002-AV Francis J. Gannon Station

STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Respondent.

### REQUEST FOR FOURTH EXTENSION OF TIME TO PETITION FOR HEARING

Tampa Electric Company ("TEC"), by and through its undersigned counsel, hereby requests that an order be entered further extending the time to petition for an administrative hearing on draft Title V Permit No. 0570040-002-AV to May 1, 1998, and as grounds therefor states:

- 1. TEC representatives received from the Department of Environmental Protection ("Department") draft Title V Permit No. 0570040-002-AV on August 29, 1997. The draft permit is for the Francis J. Gannon generating station located in Hillsborough County, Florida. The certificate of service for the draft Title V permit is dated August 26, 1997. The Department has entered orders extending the time for filing a petition for hearing until March 2, 1998.
- 2. The draft initial Title V Operation Permit appended to the Intent to Issue contains several items that have raised issues that require a resolution prior to TEC accepting the permit.

EXHIBIT 1

- 3. TEC representatives have discussed the matter with appropriate Department staff and recently met with Department representatives in order to amicably resolve the issues of concern.
- 4. TEC representatives have discussed the extension of time with Department staff, and Department staff do not object to an extension of time until May 1.
- 5. Counsel for TEC has discussed the extension of time with Patricia Comer of the Department's Office of General Counsel, and she does not object to the extension of time.

WHEREFORE, Tampa Electric Company respectfully requests that an order be entered extending the time to petition for an administrative hearing on draft Title V Permit No. 0570040-002-AV to, and including, May 1, 1998.

Respectfully submitted,

LAWRENCE N. CURTIN SUSAN L. STEPHENS

HOLLAND & KNIGHT LLP P. O. Drawer 810

Tallahassee, FL 32302-0810 850/224-7000

Attorneys for Tampa Electric Company

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to Patricia Comer, Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers, 6th Floor, Tallahassee, Florida, 32399-2400, and to Vernon R. Wagner, Esquire, Environmental Protection Commission of Hillsborough County, 1900 Ninth Avenue, Tampa, Florida, 33605, this <u>25th</u> day of February, 1998.

awrence N. Curtin

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