

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Scott*  
6/9  
*Jonathan & Bruce*  
please refer to  
Barbara for file.

In the Matter of an  
Application for Permit by:

OGC CASE NO. 97-0640

City of Tallahassee, Electric Utilities  
2602 Jackson Bluff Road  
Tallahassee, FL 32304

DRAFT Permit No.: 1290001-001-AV  
Sam O. Purdom Generating Station  
Wakulla County

**REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, City of Tallahassee (Tallahassee) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time, to and including June 20, 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, Tallahassee states the following:

1. On or about March 25, 1997, Tallahassee received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 1290001-001-AV) for the Sam O. Purdom Generating Station in Wakulla County, Florida. Along with the Intent to Issue, Tallahassee received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Supplemental "replacement" pages to the draft permit were received on or about April 18, 1997.

2. By Orders dated April 30, 1997 and May 22, 1997, the Department formally granted Tallahassee until June 9, 1997, within which to file a Petition for Administrative Proceedings or a Request for Mediation.

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BUREAU OF  
AIR REGULATION

3. The draft permit contains several provisions that warrant clarification or correction.

4. Representatives of Tallahassee have corresponded with staff of the Department's Bureau of Air Regulation, and several of the issues identified by Tallahassee have been resolved. A few important issues remain, and Tallahassee will continue to correspond with Department staff to finally resolve these remaining issues.

5. This request is filed simply as a protective measure to avoid waiver of Tallahassee'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. On behalf of the Department, Jeffrey Brown with the Department's Office of General Counsel has agreed to Tallahassee's request for an extension of time until June 20, 1997.

WHEREFORE, Tallahassee 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. 1290001-001-AV be formally extended to and including June 20, 1997.

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Respectfully submitted this 6th day of June, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

A handwritten signature in cursive script, reading "Angela R. Morrison", with a horizontal line extending to the right from the end of the signature.

Angela R. Morrison, Fla. Bar No. 0855766  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

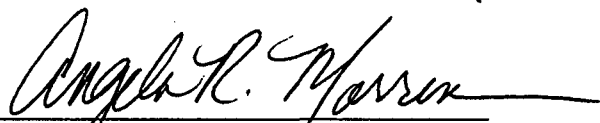
Attorney for CITY OF TALLAHASSEE,  
ELECTRIC UTILITIES

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following  
by U.S. Mail on this 6th 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

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

  
\_\_\_\_\_  
Attorney

94894

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**RECEIVED**

MAY 23 1997

BUREAU OF  
AIR REGULATION

CITY OF TALLAHASSEE, (SAM O.  
PURDOM GENERATING STATION),

Petitioner,

vs.

OGC CASE NO. 97-0640

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

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**ORDER GRANTING SUPPLEMENTAL 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 CITY OF TALLAHASSEE to grant an extension of time to file a petition for an administrative hearing on Application No. 1290001-001-AV. See Exhibit 1.

Counsel for Petitioner has discussed this request with counsel for the Respondent State of Florida Department of Environmental Protection, which has no objection to it.

Therefore,

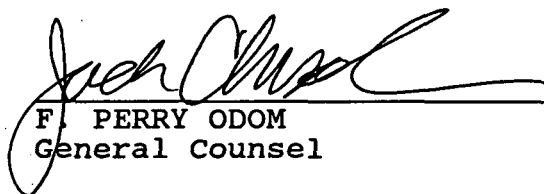
IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until June 9, 1997, 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 22 day of May, 1997 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: (904) 488-9314

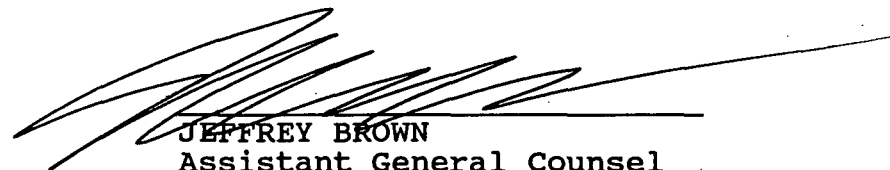
CERTIFICATE OF SERVICE

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

Angela R. Morrison, Esq.  
HOPPING GREEN SAMS & SMITH, P.A.  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, Florida 32314

on this 23<sup>rd</sup> day of May, 1997.

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: (904) 488-9730

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an  
Application for Permit by:

OGC CASE NO. 97-0640

City of Tallahassee, Electric Utilities  
2602 Jackson Bluff Road  
Tallahassee, FL 32304

DRAFT Permit No.: 1290001-001-AV  
Sam O. Purdom Generating Station  
Wakulla County

**SUPPLEMENTAL REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, City of Tallahassee (Tallahassee) hereby supplements its previous request for an extension of time, to and including June 9, 1997, in which to file a Petition for Administrative Proceedings or a Request for Mediation in the above-styled matter. Pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), the previous request was filed on April 8, 1997. As good cause for granting this supplemental request, Tallahassee states the following:

1. On or about March 25, 1997, Tallahassee received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 1290001-001-AV) for the Sam O. Purdom Generating Station in Wakulla County, Florida. Along with the Intent to Issue, Tallahassee received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. Tallahassee filed a Request for Extension of Time on April 8, 1997, and by Order dated April 30, 1997, the Department formally granted that request. Tallahassee was given until June 9, 1997, within which to file a Petition for Administrative Proceedings or a Request for Mediation.

3. Subsequent to receipt of the original draft permit, Tallahassee received (via facsimile) several "replacement pages" for the draft permit on or about April 18, 1997.

4. Receipt of the replacement pages should not be considered a new point of entry and should instead be considered part of the draft permit, based on the undersigned's interpretation of the Department's April 18 letter and conversations between Department and Tallahassee representatives.

5. This request is filed simply as a protective measure to avoid waiver of Tallahassee's right to challenge certain conditions contained in the draft Title V permit received on or about March 25, 1997, as well as the replacement pages received on or about April 18, 1997, should a contrary interpretation be made by the Department or a third party.

6. 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.

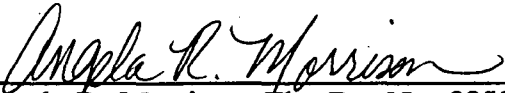
7. On behalf of the Department, Jeffrey Brown with the Office of General Counsel has agreed to Tallahassee's request for an extension of time until June 9, 1997, for the draft permit. Counsel for Tallahassee contacted Jeffrey Brown regarding this supplemental request and Counsel knows of no objections by the Department.

WHEREFORE, Tallahassee respectfully requests that the time for filing of a Petition for Administrative Proceedings or a Request for Mediation in regard to the Department's original Intent to Issue Title V Air Operation Permit for Permit No. 1290001-001-AV, as well as the subsequently issued "replacement pages," be formally extended to and including June 9, 1997.



Respectfully submitted this 2nd day of May, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

  
\_\_\_\_\_  
Angela R. Morrison, Fla. Bar No. 0855766  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, FL 32314  
(904) 222-7500

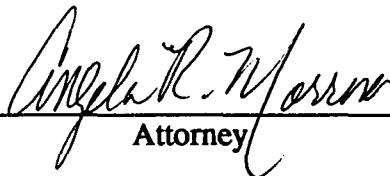
Attorney for CITY OF TALLAHASSEE,  
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by U.S. Mail on this 2nd day of May, 1997:

Clair H. Fancy, P.E.  
Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2600

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

  
\_\_\_\_\_  
Attorney

93209

