

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**RECEIVED**

OCT 17 1997

In the Matter of an  
Application for Permit by:

OGC No. 97-1500

BUREAU OF  
AIR REGULATION

City of Gainesville, Gainesville  
Regional Utilities  
P.O. Box 147117 (A134)  
Gainesville, FL 32614-7717

DRAFT Permit No.: 0010005-001-AV  
J.R. Kelly Generating Station  
Alachua County

**REQUEST FOR EXTENSION OF TIME**

By and through undersigned counsel, City of Gainesville, Gainesville Regional Utilities (GRU) hereby requests, pursuant to Florida Administrative Code Rules 28-106.111(3) and 62-103.050(1), an extension of time to and including October 31, 1997, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, GRU states the following:

1. On or about August 27, 1997, GRU received from the Department of Environmental Protection (Department) an "Intent to Issue Title V Air Operation Permit" (Permit No. 0010005-001-AV) for the J.R. Kelly Generating Station in Alachua County, Florida. Along with the Intent to Issue, GRU received a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit."

2. By Order dated October 14, 1997, the Department granted GRU an extension until October 20, 1997, to file a Petition for Administrative Proceedings.

3. Based on GRU's preliminary review, the draft permit and associated documents contain several provisions that warrant clarification or correction.

4. GRU has corresponded and will continue to correspond with Department

representatives from the Division of Air Resources Management in an effort to resolve its concerns regarding the draft permit.

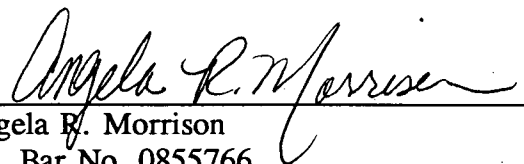
5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Scott Sheplak with the Bureau of Air Regulation has agreed to an extension until October 31, 1997 on behalf of the Department. Representatives from GRU have attempted without success to contact Jeffrey Brown with the Office of General Counsel regarding this request.

WHEREFORE, GRU 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 Permit No. 0010005-001-AV be formally extended to and including October 31, 1997.

Respectfully submitted this 16th day of October, 1997.

HOPPING GREEN SAMS & SMITH, P.A.



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Tallahassee, FL 32314  
(904) 222-7500

Attorney for CITY OF GAINESVILLE,  
GAINESVILLE REGIONAL 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 16th day of October, 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

  
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