

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Lennon FYI.
return for City
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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 20, 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 September 29, 1997, the Department granted GRU an extension until October 6, 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.

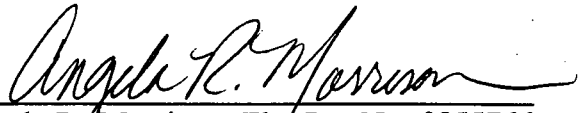
5. This request is filed simply as a protective measure to avoid waiver of GRU's right to challenge certain conditions contained in the draft Title V permit. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition and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

6. Lennon Anderson with the Department's Bureau of Air Regulation and Jeffrey Brown with the Department's Office of General Counsel agreed to an extension until October 20, 1997, on behalf of the Department.

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 20, 1997.

Respectfully submitted this 3rd day of October, 1997.

HOPPING GREEN SAMS & SMITH, P.A.



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(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 3rd 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
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