

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

Petitioner,

vs.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Respondent.

OGC No.

DEP Draft Permit No. 0090006-005-AC

RECEIVED

MAY 29 2009

BUREAU OF AIR REGULATION

REQUEST FOR SECOND ENLARGEMENT OF TIME

By and through undersigned counsel, Florida Power & Light Company (FPL) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), a second enlargement of time, to and including July 27, 2009, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPL states the following:

1. On or about March 13, 2009, FPL received from the Department of Environmental Protection ("Department") a "Written Notice of Intent to Issue Air Construction Permit" and accompanying "Draft Permit" (Air Permit No. 0090006-005-AC), for FPL's Cape Canaveral Energy Center (CCEC), located at 6000 North U.S. Highway 1 between Cocoa and Titusville in Brevard County, Florida.

2. Based on FPL's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or correction.


3. Representatives of FPL and the Department are discussing possible resolutions to the issues needing clarification or correction.

4. A Request for Enlargement of Time was filed by FPL on March 27, 2009. As of this date, no Order has been received granting that Request for Enlargement of Time.

5. This request is filed simply as a protective measure to avoid waiver of FPL's right to challenge certain conditions contained in the Draft 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. A representative of FPL has conferred with staff of the Department who had no objection to this request.

WHEREFORE, FPL respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Air Permit No.0090006-005-AC be formally extended to and including July 27, 2009.

RESPECTFULLY SUBMITTED this 28th day of May, 2009.

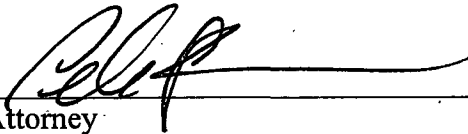


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing SECOND REQUEST FOR ENLARGEMENT OF TIME has been filed by hand delivery with the Agency Clerk, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and a true and correct copy of the foregoing SECOND REQUEST FOR ENLARGEMENT OF TIME has been furnished by hand delivery to Ronda L. Moore, Assistant General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 and Alvaro Linero, Division of Air Resources, Department of Environmental Protection, Magnolia Plaza, MS 5505, 111 S. Magnolia Drive, Tallahassee, Florida 32301, on this 28th day of May, 2009.



Attorney