FPL -- Cape Canaveral OGC # 09-0604

(AI)

0090006-005-AC

2009								
2000								
27-Mar	Received first re	equest for an	extens	sion of t	ime throug	gh May 28		
30-Mar	Al has asked R	onni to grant	this red	quest				
14-Apr	OGC issued the	order grant	ing an e	extensio	n of time			
		VDIDEO	ON	1407/	20			
		XPIRES	ON	IVIA	20			
28-May	Received secon	id request fo	r additi	onal tim	e through	July 27		
29-May	per Al, grant a	shorter amo	unt of t	ime jus	t 30 days			
10-Jun	OGC issued the	2nd order g	ranting	time th	rough Jun	e 30		
		F 1 1						
24-Jun	Al is getting the final permit ready to go out on July 1st if no further comments or petitions					SI		
	in no turiner con	monto or pe						
	E	XPIRES (ON JU	NE 30	TH			
1-Jul	no further comments or requests received by OGC							
	Memo closing th	e file was se	ent out	today				
		ASE CLO	CED					
	C	ASE CLU	SED				_	

Florida Department of Environmental Protection Office of General Counsel

Memo

To: Al Linero, Teresa Heron, Trina Vielhauer, and OGC File

From: Ronni Moore, Assistant General Counsel

Date: July 1, 2009

Re: Florida Power & Light, Co.. vs. DEP; DEP Permit No. 0090006-005-AC; OGC No. 09-0604

On March 13, 2009, the Department issued its notice of intent to issue an air construction permit, permit no. 0090006-005-AC, to Florida Power & Light, Co. (FP&L) for its facility in Brevard County, Florida. FP&L requested and was granted two extensions of time to file a petition for hearing on the intent. The second extension ran through June 30, 2009.

FP&L neither requested a further extension of time nor filed a petition by close of business on June 30th. There being no further matters to consider, the Department's file in this matter is closed.

From:

Vielhauer, Trina

Sent:

Wednesday, July 01, 2009 2:33 PM

To:

Gibson, Victoria

Subject: Attachments: FW: Florida Power & Light Co. 09-0604 MEMO CLOSING CASE 07-01-09.pdf

Follow Up Flag: Flag Status:

Follow up Flagged

From: Phipps, Jessica R.

Sent: Wednesday, July 01, 2009 1:39 PM

To: Linero, Alvaro; Heron, Teresa; Vielhauer, Trina

Cc: Moore, Ronni

Subject: Florida Power & Light Co. 09-0604

Please find attached the Memo closing file regarding Florida Power & Light Co.

Thank you.

Jessica Phipps

Department of Environmental Protection Administrative Assistant 850-245-2243

Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at http://www.protectingourwater.org/ presented by the Florida Department of Environmental Protection.

From:

Gibson, Victoria

ent: To: Tuesday, June 23, 2009 8:15 AM

Linero, Alvaro

Subject:

RE: FPL - Cape Canaveral 0090006-005-AC

Thanks for that update.

Vickie

From: Linero, Alvaro

Sent: Tuesday, June 23, 2009 8:14 AM

To: Gibson, Victoria

Subject: RE: FPL - Cape Canaveral 0090006-005-AC

Thank you.

We don't plan to extend further.

When it runs out, we will issue permit or we might reissue draft.

Al.

From: Gibson, Victoria

Sent: Tuesday, June 23, 2009 8:13 AM

To: Linero, Alvaro

Subject: FPL - Cape Canaveral 0090006-005-AC

Good morning.

This is just a reminder that the extension of time for this facility will expire in one week on 6/30.

Vickie

Victoria Gibson, Administrative Secretary for Trina Vielhauer, Chief Bureau of Air Regulation Division of Air Resource Management victoria.gibson@dep.state.fl.us 850-921-9504 fax 850-921-9533

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

Petitioner,

VS.

OGC No. 09-0604 DEP Permit No. 0090006-005-AC

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Respondent.

ORDER GRANTING SECOND REQUEST FOR EXTENSION OF TIME TO FILE PETITION FOR HEARING

This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a second request made by Petitioner Florida Power & Light Co. (Petitioner), to grant an extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Brevard County, Florida. Because the request shows good cause for the extension of time, IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until **June 30, 2009** to file a petition in this matter. NO FURTHER EXTENSIONS SHALL BE GRANTED absent extenuating circumstances. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

JACK CHISOLM, Deputy General Counsel 3900 Commonwealth Boulevard - MS 35 Tallahassee, Florida 32399-3000

850/245-2242 facsimile 850/245-2302

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Second Request for Extension of Time to File Petition for Hearing, was furnished via electronic mail only on this day of June, 2009, to:

Peter C. Cunningham Hopping, Green, & Sams, P.A. 123 S. Calhoun Street Tallahassee, Florida 32301 peterc@hgslaw.com

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

RONDA L. MOORE

Assistant General Counsel 3900 Commonwealth Boulevard - MS 35

Tallahassee, Florida 32399-3000

phone 850/245-2193

facsimile 850/245-2302

Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer, DEP BAR Chief - <u>Trina.Vielhauer@dep.state.fl.us</u>
Teresa Heron, Project Engineer - <u>Teresa.Heron@dep.state.fl.us</u>
Al Linero, Program Administrator - <u>Alvaro.Linero@dep.state.fl.us</u>
Gail Steels, Legal Assistant - <u>GailS@hgslaw.com</u>

From:

Heron, Teresa

ent:

Wednesday, June 10, 2009 3:28 PM

To:

Walker, Elizabeth (AIR)

Cc:

Gibson, Victoria

Subject:

FW. Florida Power & Light Co. 09-0604

Attachments:

ORDER GRANTING SECOND REQUEST FOR EXT. OF TIME 06-10-09.pdf

FYI

From: Phipps, Jessica R.

Sent: Wednesday, June 10, 2009 3:27 PM

To: 'peterc@hgslaw.com'

Cc: Vielhauer, Trina; Heron, Teresa; Linero, Alvaro; 'gails@hgslaw.com'; Moore, Ronni

Subject: Florida Power & Light Co. 09-0604

Please find attached the Order Granting Second Request for Extension of Time for Florida Power & Light Co.

Jessica Phipps Administrative Assistant

850-245-2243

From:

Vielhauer, Trina

ent:

Monday, June 01, 2009 7:42 AM

To:

Linero, Alvaro, Moore, Ronni, Gibson, Victoria

Subject:

RE: Second Request for Extension of Time - FPL vs. DEP - 0090006-005-AC - OGC 09-0604

Follow Up Flag: Flag Status:

Follow up Flagged

I'm ok with very short extension but agree- they need to work this one out with EPA and we don't want our permit held-up for that resolution for too long.

From: Linero, Alvaro

Sent: Friday, May 29, 2009 1:29 PM **To:** Moore, Ronni; Gibson, Victoria

Cc: Vielhauer, Trina

Subject: RE: Second Request for Extension of Time - FPL vs. DEP - 0090006-005-AC - OGC 09-0604

I don't see any issues with DEP that can't be discussed and resolved in a quick meeting.

They want EPA to allow them to have some time to try out the first of its class turbine (actually one turbine options of three they are considering) before actually conducting compliance tests related to the much less stringent Federal NOx limit (15 ppm). They hope to get the terms into the permit.

They have been in touch with EPA but I don't see anything happening for a long time.

We provide enough time for them to demonstrate compliance with the stringent limit (2.0 ppm).

I would give them a very limited time with no further extensions.

Or would simply not act for a couple of weeks and then deny if they don't sort out soon.

Do whatever Trina says though if she weighs in today.

Thanks.

Al.

----Original Message---From: Crandall, Lea
Sent: Fri 5/29/2009 9:15 AM

To: Moore, Ronni; Linero, Alvaro; Gibson, Victoria

Cc:

Subject: Second Request for Extension of Time - FPL vs. DEP - 0090006-005-AC - OGC 09-0604

Attached is a Second Request for Extension of Time re: FPL vs. DEP - 0090006-005-AC - OGC 09-0604.

Thanks, Lea

1

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

OGC No.

DEP Draft Permit No. 0090006-005-AC

Petitioner.

DEPTOFENVIRONMENTAL

VS.

PROTECTION

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

MAY 2 8 2009

Respondent.

OFFICEOF GENERALCOUNSEL

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:

- 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.

Peter C. Cumaingham Florida Bar No. 0321907

HOPPING, GREEN & SAMS, P.A.

123 S. Calhoun Street

Tallahassee, Florida 32301

Telephone: (850) 425-2305 Facsimile (850) 224-8551

Attorneys for Petitioner

Florida Power & Light Company

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

From:

Gibson, Victoria

Sent:

Friday, May 29, 2009 9:16 AM

To:

Vielhauer, Trina; Arif, Syed

Subject:

FW: Second Request for Extension of Time - FPL vs. DEP - 0090006-005-AC - OGC 09-0604

Attachments: Florida Power & Light Co. vs. DEP - 2nd Request for Ext. of Time - OGC 09-0604.pdf

FYI.

Vickie

From: Crandall, Lea

Sent: Friday, May 29, 2009 9:15 AM

To: Moore, Ronni; Linero, Alvaro; Gibson, Victoria

Subject: Second Request for Extension of Time - FPL vs. DEP - 0090006-005-AC - OGC 09-0604

Attached is a Second Request for Extension of Time re: FPL vs. DEP - 0090006-005-AC - OGC 09-0604.

Thanks, Lea

Lea Crandall Agency Clerk Office of General Counsel 3900 Commonwealth Blvd., MS 35 Tallahassee, FL 32399-3000 Phone (850) 245-2212

Fax: (850) 245-2303

From:

Arif, Syed

ent:

Thursday, May 21, 2009 10:03 AM

To: Cc: Gibson, Victoria Linero, Alvaro

Subject:

RE: From Vickie -- FPL Cape Canaveral 0090006-005-AC

Follow Up Flag: Flag Status:

Follow up Flagged

I don't expect them to ask for another extension unless they are waiting to get something from EPA concerning the NSPS issue. I don't see that issue preventing us from issuing the final permit.

Syed

From: Gibson, Victoria

Sent: Thursday, May 21, 2009 9:41 AM

To: Arif, Syed **Cc:** Linero, Alvaro

Subject: From Vickie -- FPL Cape Canaveral 0090006-005-AC

Hi,

This is just a reminder that this facility's extension of time will expire in one week on 5/28. Do you think that they may request another extension?

hanks

Vickie

Victoria Gibson, Administrative Secretary for Trina Vielhauer, Chief Bureau of Air Regulation Division of Air Resource Management victoria.gibson@dep.state.fl.us 850-921-9504 fax 850-921-9533

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

Petitioner,

VS.

OGC No. 09-0604 DEP Permit No. 0090006-005-AC

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Res	pond	lent.
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IT IS ORDERED:

ORDER GRANTING REQUEST FOR EXTENSION OF TIME TO FILE PETITION FOR HEARING

This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner Florida Power & Light Co. (Petitioner), to grant an extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Brevard County, Florida. Because the request shows good cause for the extension of time,

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until May 28, 2009 to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 4 day of April, 2009, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

AOK CHISOLM, Deputy General Counsel 3900 Commonwealth Boulevard - MS 35 Fallahassee, Florida 32399-3000 850/245-2242 facsimile 850/245-2302

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Request for Extension of Time to File Petition for Hearing, was furnished via electronic mail ONLY on this Unique of April, 2009, to:

Peter C. Cunningham Hopping, Green, & Sams, P.A. 123 S. Calhoun Street Tallahassee, Florida 32301 peterc@hgslaw.com

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

RONDA L. MOORE

Assistant General Counsel

3900 Commonwealth Boulevard - MS 35

Tallahassee, Florida 32399-3000

phone 850/245-2193 facsimile 850/245-2302

Fiorida Bar No. 0676411

1 101144 241 110. 001 0111

cc via electronic mail:

Trina Vielhauer, DEP BAR Chief - <u>Trina.Vielhauer@dep.state.fl.us</u> Teresa Heron, Project Engineer - <u>Teresa.Heron@dep.state.fl.us</u> Al Linero, Program Administrator - <u>Alvaro.Linero@dep.state.fl.us</u>

From:

Vielhauer, Trina

Sent:

Tuesday, April 14, 2009 3:26 PM

To:

Gibson, Victoria

Subject:

FW: Florida Power & Light Co. OGC # 09-0604 Order Granting 1st req for Extension

Attachments: order granting 1st ext of time until 5-28-09.pdf

From: Swango, Katie

Sent: Tuesday, April 14, 2009 2:56 PM

To: peterc@hqslaw.com

Cc: Vielhauer, Trina; Heron, Teresa; Linero, Alvaro; Moore, Ronni

Subject: Florida Power & Light Co. OGC # 09-0604 Order Granting 1st req for Extension

Please find attached the PDF version of the above referenced Order. Please let me know if you have a problem opening or viewing the above attachment and I will send you another version as soon as possible.

Thanks

Katie Marie Swango

Administrative Assistant for

Rebecca Robinette, Ronni Moore, & Pat Comer FLORIDA DISCOUNT CARD: More than 3,000 retail pharmacies in Florida are now a part of the Florida Discount Drug Card program. See www.FloridaDiscountDrugCard.com for more info or call toll-free, 1-866-341-8894.

From:

Linero, Alvaro

Sent:

Monday, March 30, 2009 11:48 AM

To:

Gibson, Victoria; Vielhauer, Trina

Subject:

Request for Extension of Time - 0090006-005-AC - FPL

Follow Up Flag: Follow up

Flag Status:

Red

Attachments:

SKMBT_50109033008570.pdf; 09000039M-011209-13453345.pdf

Trina:

FPL will use the time to figure out whether they want to try to permit a test facility or get EPA to determine that the first phase at Canaveral would be a test facility under the control of the manufacturer (if they go with Siemens).

That's why I'm telling Ronni 60 days is O.K. but didn't want to get into those details.

I can't think of any issues they will have with the rest of the permit.

Thanks.

AI.

From: Linero, Alvaro

Sent: Monday, March 30, 2009 11:44 AM

To: Moore, Ronni

Cc: Halpin, Mike; Sturtevant, Toni; Chisolm, Jack

Subject: FW: Request for Extension of Time - 0090006-005-AC - FPL

Ronni:

I think 60 days extension of time by FPL to file a petition on the draft air construction (non-PSD) permit to modernize the Cape Canaveral Plant will be O.K.

The draft documents are at the following link:

http://www.dep.state.fl.us/Air/permitting/construction/fplcanaveral.htm

FYI, FPL is also pursuing a Site Certification for the project for which they seek approval much later this year or early next year.

The air construction permitting is running well ahead of the certification even with this request.

I attached the certification schedule.

Thank you.

Al Linero.

From: Crandall, Lea

Sent: Monday, March 30, 2009 9:22 AM

To: Chisolm, Jack; Brown, Lisa L.; Gibson, Victoria; Linero, Alvaro **Subject:** Request for Extension of Time - 0090006-005-AC - FPL

FYI, the attached Request for Extension of Time re: 0090006-005-AC - FPL was filed on Friday, March 27.

Thanks, Lea

Lea Crandall Agency Clerk Office of General Counsel 3900 Commonwealth Boulevard, MS 35 Tallahassee, FL 32399-3000

Phone: (850) 245-2212 Fax: (850) 245-2303

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

OGC No.

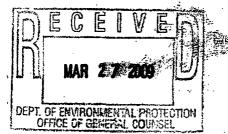
DEP Draft Permit No. 0090006-005-AC

Petitioner,

VS.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,

Respondent.



REQUEST FOR 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), an enlargement of time, to and including May 28, 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. 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 May 28, 2009.

RESPECTFULLY SUBMITTED this 27TH day of March, 2009.

Peter C. Cunningham

Florida Bar No. 0321907

HOPPING, GREEN & SAMS, P.A.

123 S. Calhoun Street

Tallahassee, Florida 32301

Telephone: (850) 425-2305

Facsimile (850) 224-8551

Attorneys for Petitioner
Florida Power & Light Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing 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 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 2774 day of March, 2009.

Attorney

From:

Crandall, Lea

Sent:

Monday, March 30, 2009 9:22 AM

To:

Chisolm, Jack; Brown, Lisa L.; Gibson, Victoria; Linero, Alvaro

Subject:

Request for Extension of Time - 0090006-005-AC - FPL

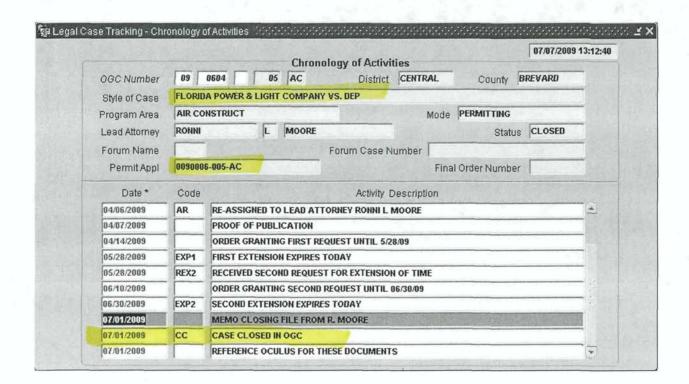
Attachments: SKMBT_50109033008570.pdf

FYI, the attached Request for Extension of Time re: 0090006-005-AC - FPL was filed on Friday, March 27.

Thanks, Lea

Lea Crandall Agency Clerk Office of General Counsel 3900 Commonwealth Boulevard, MS 35 Tallahassee, FL 32399-3000

Phone: (850) 245-2212 Fax: (850) 245-2303



			Chronale	gy of Activiti			06/11/2009 09:13:	
OGC Number	09	0604 05	AC		CENTRAL	County	BREVARD	
Style of Case	FLORIDA POWER & LIGHT COMPANY VS. DEP							
Program Area	AIR CO	NSTRUCT		THE WAY	Mode	PERMITTING		
Lead Attorney	RONNI	L	MOORE			Statu	OPEN	
Forum Name			F	orum Case Nu	mber			
Permit Appl	009000	6-005-AC			Fina	l Order Numbe	r.	
Date *	Code	Code Activity Description						
03/27/2009	AA	ASSIGNED TO LEAD ATTORNEY JACK J CHISOLM						
03/27/2009	ACO	ACO ADMIN. CASE OPENED IN OGC						
03/27/2009	REX1	REX1 RECEIVED FIRST REQUEST FOR EXTENSION OF TIME						
04/06/2009	AR RE-ASSIGNED TO LEAD ATTORNEY RONNI L MOORE							
94/07/2009-	PROOF OF PUBLICATION						lig.	
04/44/2009		ORDER GRANTING FIRST REQUEST UNTIL 5/28/99						123
05/28/2009	EXP1	FURST EXTENSION EXPIRES TODAY						
05/28/2009	REX2	EX2 RECEIVED SECOND REQUEST FOR EXTENSION OF TIME						
00/40/2009	ORDER GRANTING SECOND REQUEST UNTIL 06/30/09							
00/30/2009	EXP2	XP2 SECOND EXTENSION EXPIRES TODAY						T.