

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

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BUREAU OF
AIR REGULATION

JACKSONVILLE ELECTRIC AUTHORITY

Appellant,

v.

1ST DCA Case No. 98-00441
OGC Case No. 98-0196

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Appellee.

SETTLEMENT STIPULATION AND
MOTION TO RELINQUISH JURISDICTION

Appellant Jacksonville Electric Authority ("JEA") and Appellee State of Florida Department of Environmental Protection ("DEP") stipulate to a settlement of this case and, pursuant to Fla. R. App. P. 9.300 and 9.350(a), move the court for an Order relinquishing jurisdiction in this matter to allow actions to be taken in furtherance of the settlement.

Wherefore, JEA and DEP state:

1. This proceeding stemmed from DEP's issuance of Title V Permit No. 0310045-001-AV to JEA, pursuant to Chapter 403, Florida Statutes, and Chapter 62-213, Florida Administrative Code.

2. JEA and DEP have agreed that specific revisions of Title V Permit No. 0310045-001-AV will resolve all issues involved in this appeal. The revisions agreed to are reflected in the attached Final Permit Determination (stamped DRAFT), received by JEA's counsel on October 6, 1998. (Attachment A).

3. The Final Permit Determination, once issued, will supersede Final Title V Permit No. 0310045-001-AV, the effectiveness of which was stayed upon the filing of this appeal pursuant to Fla. R. App. P. 9.310(b)(2).

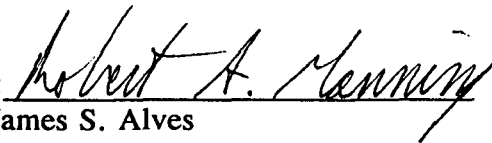
4. JEA and DEP agree that DEP will issue the Final Permit Determination, as reflected in Attachment A, as soon as possible after the filing of this Stipulation, with the following additional revisions: (1) the Effective Date will be changed to January 1, 1999, the Renewal Application Due Date will be changed to July 5, 2003, and the Expiration Date will be changed to December 31, 2003, and (2) the emissions unit/activities listed in Attachment B will replace Appendix I-1 in the Final Permit Determination.

5. Each party shall bear its own costs and attorney fees in this proceeding.

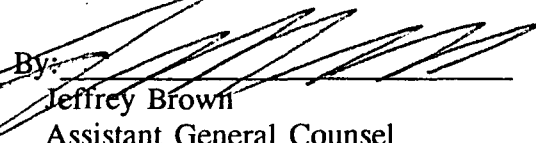
THEREFORE, the disputed issues having been resolved, JEA and DEP move the court for an Order relinquishing jurisdiction in this case so that the actions described above can be taken in furtherance of the settlement.

Dated this 13 day of October, 1998.

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