

File

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BUREAU OF AIR REGULATION

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Air Construction Permit by:

OGC No. 08-0989

Florida Municipal Power Agency
8553 Commodity Circle
Orlando, Florida 32819-9002

Cane Island Power Park Unit 4
Air Permit No. PSD-FL-400
Air Permit No. 0970043-014-AC
Osceola County

REQUEST FOR EXTENSION OF TIME

By and through undersigned counsel, the Florida Municipal Power Agency (FMPA) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an extension of time to and including August 29, 2008, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FMPA states the following:

1. On or about May 8, 2008, FMPA received from the Department of Environmental Protection (Department) a Technical Evaluation and Preliminary Determination, a Proposed Draft Permit, and a Written Notice of Intent to Issue Air Permit (Permit No. PSD-FL-400; Permit No. 0970043-014-AC) for the Cane Island Power Park Unit 4 located in Osceola County, Florida.
2. FMPA previously filed a Request for Extension of Time on May 19, 2008, requesting an extension through July 21, 2008, within which to file a Petition for Administrative Hearing.
3. The Department granted the requested extension through July 21, 2008, by order dated May 30, 2008.
4. The Proposed Draft Permit and Technical Evaluation and Preliminary Determination contain several provisions that warrant clarification or correction.

5. Representatives of FMPA have corresponded and will continue to correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.

6. This request is filed simply as a protective measure to avoid waiver of FMPA's right to challenge certain conditions contained in the Proposed Draft Permit and Technical Evaluation and Preliminary Determination. 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.

7. Counsel for FMPA contacted Ronni Moore with the Department's Office of General Counsel regarding this request, and she had no objection.

WHEREFORE, FMPA respectfully requests that the time for filing a Petition for Administrative Proceedings with regard to the above-referenced Technical Evaluation and Preliminary Determination, Proposed Draft Permit, and Written Notice of Intent to Issue Air Permit (Permit No. PSD-FL-400; Permit No. 0970043-014-AC) be formally extended to and including August 29, 2008. If the Department denies this request, FMPA requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 15th day of July, 2008.

HOPPING GREEN & SAMS, P.A.



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Attorney for FLORIDA MUNICIPAL POWER
AGENCY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 15th day of July, 2008:

Ronni Moore
Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-2600

Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Environmental Protection
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Attorney

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