

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

OKEELANTA POWER LIMITED)
PARTNERSHIP,)
)
Petitioner,)
)
vs.)
DEPARTMENT OF ENVIRONMENTAL)
PROTECTION,)
)
Respondent.)
_____)

AUG 03 2000

BUREAU OF AIR REGULATION

) DEP Draft Permit No. 0990332-011-AC
) (PSD-FL-196K)

) OGC Case No. 00-0909

OKEELANTA POWER'S THIRD REQUEST FOR
EXTENSION OF TIME TO FILE PETITION

Petitioner, Okeelanta Power Limited Partnership ("OPLP"), respectfully requests the Department of Environmental Protection ("Department") to grant OPLP an additional extension of time, pursuant to Rule 28-106.111(3), Florida Administrative Code, to file a petition for a formal administrative hearing concerning a draft permit (No. 0990332-011-AC) that the Department issued for OPLP's cogeneration facility. In support of this request, OPLP says:

1. OPLP filed an application for a modification to the air construction permit for OPLP's cogeneration facility (the "Facility") in Palm Beach County, Florida.

2. On April 11, 2000, the Department distributed its "Intent to Issue Air Construction Permit Modification" ("Draft Permit") for the Facility. As the applicant for the Draft Permit, OPLP is affected by the Department's proposed action.

3. On April 21, 2000, OPLP requested an extension of time to file a petition for administrative hearing in this case. By

order dated May 22, 2000, the Department granted OPLP's request and extended the time to file a petition to June 20, 2000. On June 15, 2000, OPLP requested a second extension of time to file a petition for administrative hearing. By order dated June 26, 2000, the Department granted OPLP's request and extended the time to file a petition to August 4, 2000.

4. The Draft Permit contains several provisions that are not consistent with OPLP's request for a permit modification. OPLP has discussed these inconsistencies with the Department's staff and anticipates having additional discussions with the Department's staff.

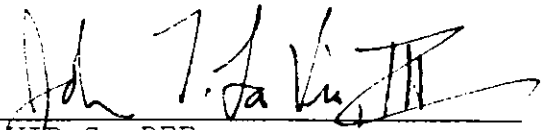
5. Although OPLP does not expect to file a petition for a formal administrative hearing concerning the Draft Permit, OPLP requests a 45-day extension of time, from the date the Department issues an order concerning this request, to allow OPLP to continue discussions with Department staff before OPLP waives its right to a hearing.

6. OPLP's counsel has discussed this request with Jeff Koerner of the Department's staff, and Mr. Koerner stated that he does not object to OPLP's request.

WHEREFORE, OPLP requests the Department to grant a 45-day extension of time, from the date the Department issues an order concerning this request, to file a petition for a formal administrative hearing concerning the Draft Permit.

Respectfully submitted this 2nd day of August, 2000.

LANDERS & PARSONS

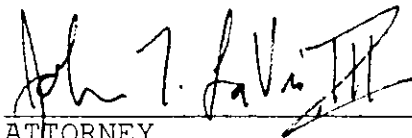


DAVID S. DEE
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JOHN T. LaVIA, III
Florida Bar No. 853666
P.O. Box 271
310 West College Avenue (32301)
Tallahassee, Florida 32302
Phone: 850/681-0311
Fax: 850/224-5595

ATTORNEYS FOR OPLP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing was furnished by hand-delivery to the Clerk's Office, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, Room 651, Tallahassee, Florida 32399; and a copy by U.S. Mail to Martha Nebelsiek, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-2400 and Jeff Koerner, Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400, on this 2nd day of August, 2000.



ATTORNEY

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

OKEELANTA POWER LIMITED
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Petitioner,

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STATE OF FLORIDA DEPARTMENT
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Respondent.

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JUN 27 2000

BUREAU OF AIR REGULATION

OGC CASE NO. 00-0909

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

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, OKEELANTA POWER LIMITED PARTNERSHIP, to grant an extension of time to file a petition for an administrative hearing on a draft permit modification, DEP Permit No. 0990332-011-AC. See Exhibit 1.

Respondent, State of Florida Department of Environmental Protection, has no objection to an extension. Therefore,

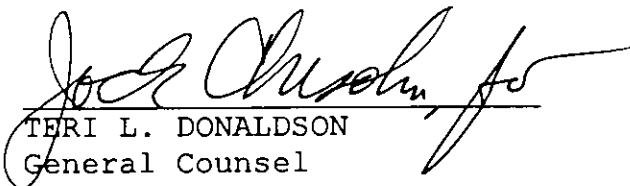
IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until August 4, 2000, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Mail Station 35, Department of Environmental Protection, 3900

Commonwealth Boulevard, Tallahassee, Florida, 32399-3000.

DONE AND ORDERED on this 26 day of June, 2000 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

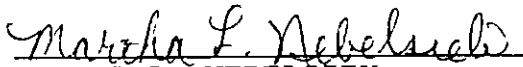

TERI L. DONALDSON
General Counsel

Douglas Building, MS #35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to David S. Dee, Esquire, 310 West College Avenue, Tallahassee, Florida 32301, on this 26th day of June, 2000.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


MARTHA L. NEBELSIÉK
Assistant General Counsel
Florida Bar No. 0831311

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Telephone: (850) 488-9314

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OKEELANTA POWER'S SECOND REQUEST FOR
EXTENSION OF TIME TO FILE PETITION

Petitioner, Okeelanta Power Limited Partnership ("OPLP"), respectfully requests the Department of Environmental Protection ("Department") to grant OPLP a second extension of time, pursuant to Rule 28-106.111(3), Florida Administrative Code, to file a petition for a formal administrative hearing concerning a draft permit (No. 0990332-011-AC) that the Department issued for OPLP's cogeneration facility. In support of this request, OPLP says:

1. OPLP filed an application for a modification to the air construction permit for OPLP's cogeneration facility (the "Facility") in Palm Beach County, Florida.
2. On April 11, 2000, the Department distributed its "Intent to Issue Air Construction Permit Modification" ("Draft Permit") for the Facility. As the applicant for the Draft Permit, OPLP is affected by the Department's proposed action.
3. On April 21, 2000, OPLP requested an extension of time to file petition for administrative hearing in this case. By order dated May 22, 2000, the Department granted Okeelanta's

request and extended the time to file a petition to June 20, 2000.

4. The Draft Permit contains several provisions that are not consistent with OPLP's request for a permit modification. OPLP has discussed these inconsistencies with the Department's staff and anticipates having additional discussions with the Department's staff.

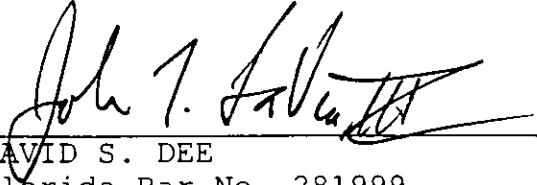
5. Although OPLP does not expect to file a petition for a formal administrative hearing concerning the Draft Permit, OPLP requests a 45-day extension of time to continue discussions with Department staff before OPLP waives its rights to a hearing.

6. Petitioner's undersigned counsel discussed this request with the Department's counsel, Ms. Martha Nebelsiek. Ms. Nebelsiek did not take a position on OPLP's request.

WHEREFORE, OPLP requests the Department to grant a 45-day extension of time to file a petition for a formal administrative hearing concerning the Draft Permit.

Respectfully submitted this 15th day of June, 2000.

LANDERS & PARSONS

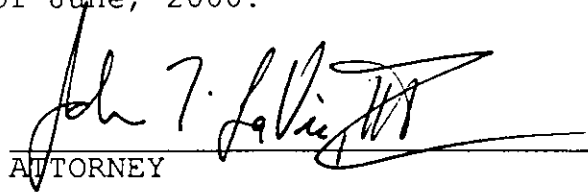


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ATTORNEY