

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED

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

JUN 16 2000

BUREAU OF AIR REGULATION

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

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.

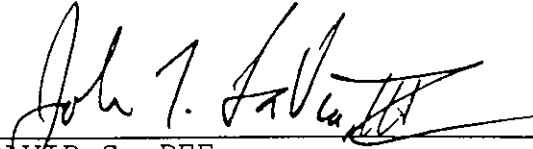
5. Although OPLP does not expect to file a petition for a formal administrative hearing concerning the Draft Permit, OPLP requests a 45-day extension of time to continue discussions with Department staff before OPLP waives its rights to a hearing.

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

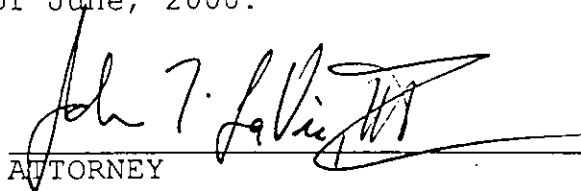


DAVID S. DEE
Florida Bar No. 281999
JOHN T. LaVIA, III
Florida Bar No. 853666
P.O. Box 271
310 West College Avenue (32301)
Tallahassee, Florida 32302
Phone: 850/681-0311
Fax: 850/224-5595

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 Blvd., Room 633B, Tallahassee, Florida 32399; and a copy by U.S. Mail to Martha Nebelsiek, Department of Environmental Protection, Office of General Counsel, 2600 Blair Stone Road, 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 15th day of June, 2000.



ATTORNEY

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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. The Draft Permit contains several provisions that are not consistent with OPLP's request for a permit modification. In light of the inconsistencies between OPLP's application and the

Draft Permit, OPLP would like to have a reasonable opportunity to review the Draft Permit with its staff and consultants, and then discuss its concerns about the Draft Permit with the Department.

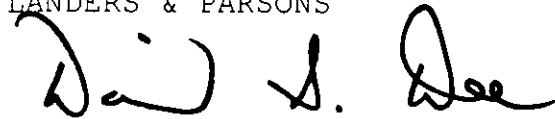
4. Although OPLP does not expect to file a petition for a formal administrative hearing concerning the Draft Permit, OPLP requests a 60-day extension of time to evaluate the provisions in the Draft Permit before OPLP waives its rights to a hearing.

5. Before filing this request, Petitioner's undersigned counsel attempted to discuss this request with the Department's counsel, Mr. Douglas Beason, and the Department's permitting engineer, Mr. Jeff Koerner, but these attempts were unsuccessful.

WHEREFORE, OPLP requests the Department to grant a 60-day extension of time to file a petition for a formal administrative hearing concerning the Draft Permit.

Respectfully submitted this 21st day of April, 2000.

LANDERS & PARSONS



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Florida Bar No. 281999
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A handwritten signature in black ink, appearing to read "D. S. De". The signature is written in a cursive style with a large initial "D" and a smaller "S".

ATTORNEY