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THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF AIR REGULATION

In the Matter of an
Application for Permit by:

DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.
Anclote Power Plant
Pasco County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including October 18, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated July 13, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 1010017-006-AV) for the facility located at 1729 Baillies Bluff Road in Holiday, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about July 20, 2004.

2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.

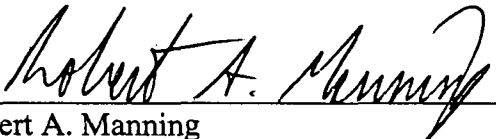
3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an

agreement cannot be reached. 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.

WHEREFORE, Progress respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 1010017-006-AV be formally extended to and including October 18, 2004.

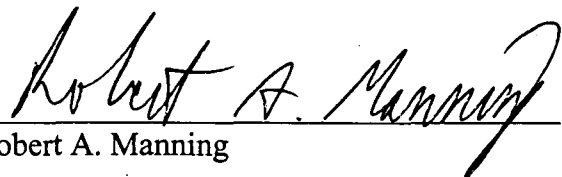
RESPECTFULLY SUBMITTED this 30th day of July, 2004.

By: 
Robert A. Manning
Florida Bar ID No. 0035173
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, Florida 32314
(850) 222-7500
(850) 224-8551 Facsimile

Attorneys for PROGRESS ENERGY
FLORIDA, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Kathy Carter, Agency Clerk, and Doug Beason, General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Suite 300, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399 this 30th day of July, 2004.


Robert A. Manning

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**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**PROGRESS ENERGY FLORIDA, INC.
ANCLOTE POWER PLANT**

Petitioner,

v.

OGC #04-1375
DEP Permit 1010017-006-AV

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION,**

Respondent.

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

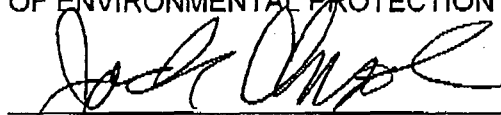
This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner PROGRESS ENERGY FLORIDA, INC., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Pasco 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 **October 18, 2004**, to file a petition in this matter. Filing shall be complete on 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 23rd day of August, 2004, in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
850-245-2242 facsimile 850-245-2302

BEST AVAILABLE COPY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via
 U. S. Mail facsimile orally, this 25th day of August, 2004, to:

Robert A. Manning, Esquire
Hopping Green & Sams, P.A.
Post Office Box 6526
Tallahassee, FL 32314

Facsimile 850-224-8551



W. Douglas Beason, Assistant General Counsel
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION
3900 Commonwealth Boulevard - Mail Station 35
Tallahassee, FL 32399-3000
850-245-2242 facsimile 850-245-2302

with a courtesy copy to:

Trina L. Vielhauer, Chief
Bureau of Air Regulation

facsimile: 850-921-9533

Bobby

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 04-1375
DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.
Anclote Power Plant
Pasco County, Florida

SECOND REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Progress Energy Florida, Inc. (Progress) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including October 18, 2004, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Progress states the following:

1. By letter dated July 13, 2004, the Department of Environmental Protection (DEP) issued an "Intent to Issue Title V Air Operation Permit" (DRAFT Permit No. 1010017-006-AV) for the facility located at 1729 Baillies Bluff Road in Holiday, Florida. Along with the Intent to Issue, DEP issued a draft Title V permit and "Public Notice of Intent to Issue Title V Air Operation Permit." Progress received these documents on or about July 20, 2004.
2. Based on Progress's review, the draft permit and associated documents contain provisions that warrant clarification or correction.
3. Progress and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.
4. The Department granted Progress' Request for Enlargement of Time, allowing until October 18, 2004, to file a petition in this matter.

5. Progress is now requesting until November 15, 2004, in order to resolve remaining issues before the Department's intended deadline to send all Title V renewals to the Environmental Protection Agency as proposed permits.

6. This request is filed simply as a protective measure to avoid waiver of Progress's right to challenge certain conditions contained in the Draft Title V Permit, in the event that an agreement cannot be reached. 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.

WHEREFORE, Progress respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to DEP's Intent to Issue Draft Permit No. 1010017-006-AV be formally extended to and including November 15, 2004.

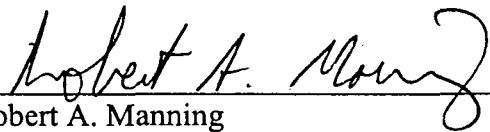
RESPECTFULLY SUBMITTED this 15th day of October, 2004.

By: 
Robert A. Manning
Florida Bar ID No. 0035173
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, Florida 32314
(850) 222-7500
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Attorneys for PROGRESS ENERGY
FLORIDA, INC.

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Robert A. Manning

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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OCT 27 2004

In the Matter of an
Application for Permit by:

BUREAU OF AIR REGULATION

OGC CASE NO.: 04-1375
DEP Draft Permit No.: 1010017-006-AV

Progress Energy Florida, Inc.
Anclote Power Plant
Pasco County, Florida

NOTICE OF WITHDRAWAL OF ENLARGEMENT OF TIME

Progress Energy Florida, Inc. ("Progress"), by and through undersigned counsel, hereby withdraws its Second Request for Enlargement of Time to file a petition for formal administrative proceedings in accordance with Chapter 120, Florida Statutes. Progress currently has pending a Second Request for Enlargement of Time until November 15, 2004, in response to the "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1010017-006-AV) for the Anclote Power Plant, located at 1729 Baillies Bluff Road, Holiday, Pasco County, Florida, to negotiate certain changes in the Draft Title V permit with the Department. Following discussions with Department representatives, Progress and the Department have come to agreement on the issues involved in the above-referenced Draft Title V permit, as reflected in the attached preliminary Proposed Title V Permit dated October 26, 2004. Accordingly, conditioned upon the Department's issuance of the Proposed Title V permit in accordance with our agreement, Progress hereby withdraws its Request for Enlargement of Time.

RESPECTFULLY SUBMITTED this 27th day of October, 2004.

By: Robert A. Manning

Robert A. Manning
Florida Bar ID No. 0035173
Hopping Green & Sams, P.A.
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Attorneys for PROGRESS ENERGY FLORIDA,
INC.

CERTIFICATE OF SERVICE

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