

**STATE OF FLORIDA
DEPARTMENT ON ENVIRONMENTAL PROTECTION**

GULF POWER COMPANY (Scholz Electric)
Generation Plant),)

Petitioner,)

v.)

**STATE OF FLORIDA, DEPARTMENT OF)
ENVIRONMENTAL PROTECTION,**)

Respondent.)

DEP OGC CASE No. 04-1310

File No. FL0002283-003-IWIS

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

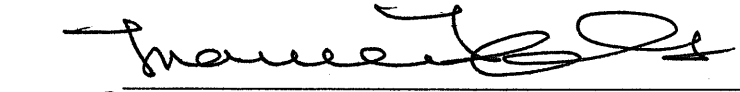
This matter has come before the Department of Environmental Protection (Department) on receipt of a timely request from the Petitioner GULF POWER COMPANY on behalf of its Scholz Electric Generation Plant for an additional enlargement of time in which to file a petition for administrative hearing with respect to DEP File No. FL0002283-003-IWIS. *See* Exhibit 1. The request shows good cause and, therefore,

IT IS ORDERED:

The request for an additional extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until June 13, 2005, in which 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 this 16th day of May, 2005, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



GREGORY M. MUNSON
General Counsel
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

CERTIFICATE OF SERVICE

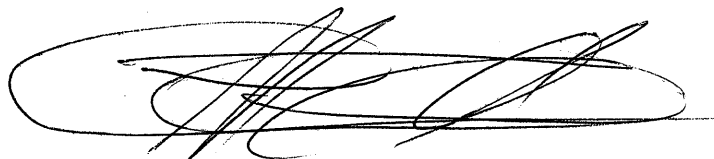
I HEREBY CERTIFY this 16th day of May, 2005, that a true copy of the foregoing

“Order” has been mailed to:

ALLEN HUBBARD
Department of Environmental Protection
Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2999

JAMES S. ALVES, ESQ.
Hopping, Green & Sams
Post Office Box 6526
Tallahassee, Florida 32314-6526

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



CHARLES T. “CHIP” COLLETTE
Senior Assistant General Counsel
3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
(850) 245-2242

Hopping Green & Sams

Attorneys and Counselors

May 6, 2005

By Hand Delivery

Ms. Kathy Carter, Agency Clerk
Department of Environmental Protection
Office of the General Counsel
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: Request for Enlargement of Time
Gulf Power Company
Scholz Electric Generation Plant
Jackson County
FL0002283-003-IW1S

Dear Ms. Carter:

Pursuant to Rule 62-110.106(4), Fla. Admin. Code, please accept for filing with the Department this request for enlargement of time, to and including June 6, 2005, to initiate administrative proceedings pursuant to Section 120.569 and 120.57, Florida Statutes with regard to the Department's Intent to Issue a renewal Industrial Wastewater Facilities Permit (FL0002283) to Gulf Power Company for the Scholz Electric Generation Plant in Jackson County. Gulf Power Company received the Intent to Issue on July 12, 2004. Previous request for enlargement have been filed and granted. Good cause for granting this enlargement of time, through and including June 6, 2005, is as follows:

1. Additional time is required to address, through informal discussions with the Department, Gulf Power Company's concerns regarding language in the draft Administrative Order, addressing arsenic compliance, that the Department has proposed for issuance with the permit.
2. An enlargement of time would provide an opportunity for consensus resolution of areas of disagreement without resorting to administrative litigation.
3. Gulf Power has been proactive in attempting to resolve all issues.

* * *

EXHIBIT 1

Ms. Kathy Carter
May 6, 2005
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For the foregoing reasons, Gulf Power Company requests that the deadline for filing a petition initiating administrative proceedings in regard to the referenced Intent to Issue be extended through June 6, 2005.

Very truly yours,

HOPPING GREEN & SAMS



James S. Alves
for Gulf Power Company

cc: Chip Collette, DEP
Allen Hubbard, DEP