

**STATE OF FLORIDA
DEPARTMENT ON ENVIRONMENTAL PROTECTION**

RECEIVED

JAN 25 2005

Industrial Wastewater
Section

GULF POWER COMPANY (Scholz)
Electric Generating Plant),)
)
Petitioner,)
)
v.)
)
STATE OF FLORIDA, DEPARTMENT)
OF ENVIRONMENTAL PROTECTION,)
)
Respondent.)

DEP OGC CASE No. 04-1310

DEP File No. FL0002283-003-IW1S

**ORDER GRANTING REQUEST FOR 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 for an extension of time in which to file a petition for administrative hearing with respect to DEP File No. FL0002283-003-IW1S notice of "Intent to Issue" a renewal Industrial Wastewater Facilities Permit to the Petitioner's Scholz Electric Generating Plant, so that Petitioner can have additional time to review and analyze new permit conditions and to continue in discussions with the Department, which are presently under way, so that hopefully this matter can be resolved without the need for administrative hearing. . See Exhibit 1. Accordingly,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative hearing is granted. Petitioner shall have until the end of February 28, 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 21st day of January, 2005, in Tallahassee,
Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



GREGORY M. MUNSON

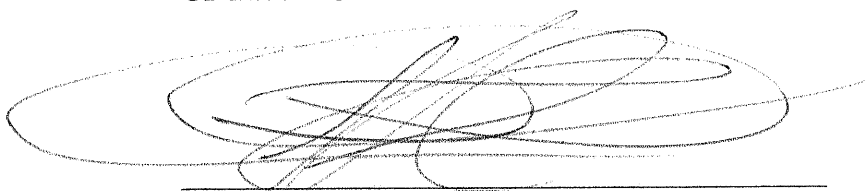
General Counsel
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

CERTIFICATE OF SERVICE

We hereby certify this 27th day of January, 2005, true and correct copies of the foregoing "Order" have been served by U.S. Mail upon the following:

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

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

A large, stylized handwritten signature in black ink, appearing to read 'Chip Collette', is written over a horizontal line.

CHARLES T. "CHIP" COLLETTE
Senior Assistant General Counsel

TONI STURTEVANT
Assistant General Counsel

3900 Commonwealth Boulevard, M.S. 35
Tallahassee, Florida 32399-3000
(850) 245-2242

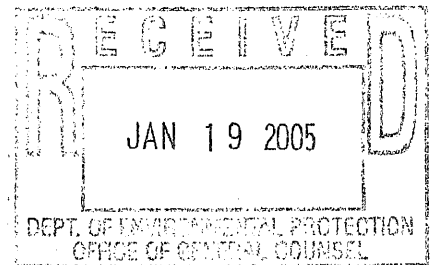
Hopping Green & Sams

Attorneys and Counselors

January 19, 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 February 28, 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. Good cause for granting an enlargement of time, through and including February 28, 2005, is as follows:

1. Additional time is required to review and analyze conditions in the renewal permit that were not included in previous versions of the Scholz Electric Generation Plant's Wastewater Facilities Permit.
2. Additional time also is required to address, through informal discussions with the Department, Gulf Power Company's concerns regarding certain new or revised conditions. A draft Administrative Order addressing arsenic compliance requires additional discussion.
3. An enlargement of time would provide an opportunity for consensus resolution of areas of disagreement without resorting to administrative litigation.
4. Gulf Power has been proactive in attempting to resolve all issues.

* * *

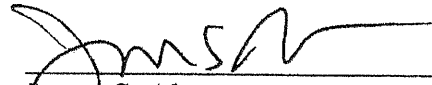
Exhibit 1

Ms. Kathy Carter
January 19, 2005
Page 2

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 February 28, 2005.

Very truly yours,

HOPPING GREEN & SAMS

A handwritten signature in black ink, appearing to read 'JMSA', is written over a horizontal line.

James S. Alves
for Gulf Power Company

cc: Toni Sturtevant, DEP
Allen Hubbard, DEP