

**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 CLOSING FILE

By order of June 21, 2005, Petitioner was granted an additional extension of time until July 22, 2005, in which to petition for an administrative hearing in this matter. *See* Exhibit 1. No petition for hearing or request for additional extension of time was filed by that date. Thus the time has expired in which to petition for administrative hearing or request a further extension of time and, accordingly, it is

ORDERED:

The department's file in this matter shall be and is hereby closed.

Any party to this order has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes by filing a notice of appeal, pursuant to Rules 9.110 & 9.190 of the Florida Rules of Appellate Procedure, with the Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of that notice of appeal, accompanied by the required filing fees, with the appropriate Florida District Court of Appeal. Such notice of appeal must be physically filed

within thirty (30) days from the date this order is filed with the Clerk of the Department as indicated on the "Filing and Acknowledgement" below.

DONE AND ORDERED this 7th day of August, 2005, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



GREGORY M. MUNSON

General Counsel

3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

FILED ON THIS DATE PURSUANT TO § 120.52,
FLORIDA STATUTES, WITH THE DESIGNATED
DEPARTMENT CLERK, RECEIPT OF WHICH IS
HEREBY ACKNOWLEDGED.


CLERK

8-3-05
DATE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 3rd day of August, 2005, that a true copy of the foregoing

"Order" has been mailed to:

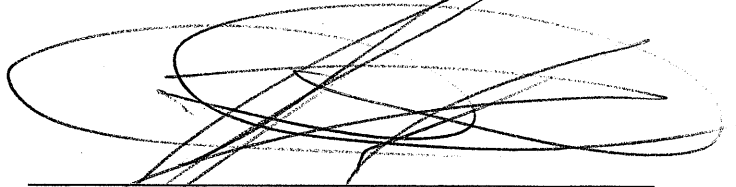
ALLEN HUBBARD

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

A large, stylized handwritten signature in black ink, appearing to read 'Charles T. Collette', is written over a horizontal line.

CHARLES T. "CHIP" COLLETTE

Senior Assistant General Counsel

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

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DEPARTMENT ON ENVIRONMENTAL PROTECTION**

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**STATE OF FLORIDA, DEPARTMENT OF)
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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,

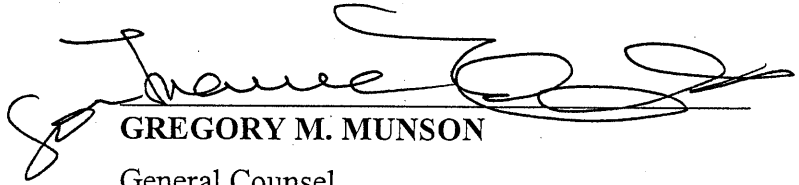
IT IS ORDERED:

The request for an additional extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until July 22, 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.

EXHIBIT 1

DONE AND ORDERED this _____ day of June, 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 21st day of June, 2005, that a true copy of the foregoing

“Order” has been mailed to:

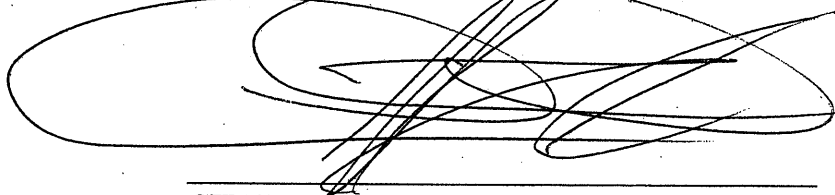
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