

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Air Construction Permit by:

Biomass Gas and Electric of Tallahassee, LLC
3500 Parkway Lane, Suite 440
Atlanta, Georgia 30092

Tallahassee Renewable Energy Center
Air Permit No. 0730109-001-AC
Leon County, Florida

DEPT OF ENVIRONMENTAL
PROTECTION

NOV 07 2008

REQUEST FOR EXTENSION OF TIME

OFFICE OF
GENERAL COUNSEL

By and through undersigned counsel, Biomass Gas and Electric of Tallahassee, LLC (BG&E) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an extension of time to and including November 18, 2008, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, BG&E states the following:

1. On or about October 27, 2008, BG&E received from the Department of Environmental Protection (Department) a Technical Evaluation and Preliminary Determination, a Proposed Draft Permit, and a Written Notice of Intent to Issue Air Permit (Permit No. 0730109-001-AC) for the Tallahassee Renewable Energy Center located in Leon County, Florida.
2. The Proposed Draft Permit and Technical Evaluation and Preliminary Determination contain several provisions that warrant clarification or correction.
3. Representatives of BG&E will correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.
4. This request is filed simply as a protective measure to avoid waiver of BG&E's right to challenge certain conditions contained in the Proposed Draft Permit and Technical Evaluation and Preliminary Determination. Grant of this request will not prejudice either party, but

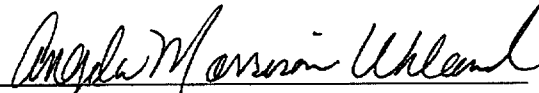
will further their mutual interest and likely avoid the need to file a petition and proceed to a formal administrative hearing.

5. Counsel for BG&E contacted Ronni Moore with the Department's Office of General Counsel regarding this request.

WHEREFORE, BG&E respectfully requests that the time for filing a Petition for Administrative Proceedings with regard to the above-referenced Technical Evaluation and Preliminary Determination, Proposed Draft Permit, and Written Notice of Intent to Issue Air Permit (Permit No. 0730109-001-AC) be formally extended to and including November 18, 2008. If the Department denies this request, BG&E requests the opportunity to file a Petition for Administrative Proceedings within 10 days of such denial.

Respectfully submitted this 7th day of November, 2008.

HOPPING GREEN & SAMS, P.A.



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Attorney for BIOMASS GAS AND ELECTRIC
Of TALLAHASSEE, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 7th day of November, 2008:

Ronni Moore
Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-2600

Trina Vielhauer, Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Attorney

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