


Memo

To: Al Linero, Trina Vielhauer, and OGC File
From: Ronni Moore, Assistant General Counsel 
Date: December 11, 2008
Re: Anita Franklin vs. Biomass Gas and Electric of Tallahassee, LLC, and DEP; OGC Case No. 08-2732; DEP Permit No. 0730109-001-AC

On November 17, 2008, the State of Florida Department of Environmental Protection (Department) received a petition for administrative hearing (Petition) from the Petitioner, Anita Franklin (Petitioner). The Petition challenged the Department's decision to issue Permit No. 0730109-001-AC to Biomass Gas and Electric of Tallahassee, LLC, for the construction and operation of an alternative energy facility in Leon County, Florida.

On November 20, 2008, the Department issued Petitioner an Order Dismissing Petition with Leave to Amend giving the Petitioner through December 4, 2008, to file an amended petition with the Department. The Petitioner neither filed an amended petition, nor requested an extension of time to file an amended petition. There being no further matters to consider, the Department's file in this matter is closed.