

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RAHNI SPENCER,

Petitioner,

vs.

OGC CASE NO. 08-2722

BIOMASS GAS AND ELECTRIC OF
TALLAHASSEE, LLC, and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondents.

**ORDER GRANTING IN PART REQUEST FOR
EXTENSION OF TIME TO FILE PETITION FOR HEARING**

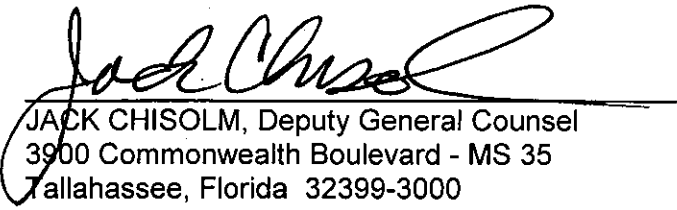
This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, Rahni Spencer (Petitioner), to grant a ninety (90) day extension of time to file a petition for administrative hearing regarding the Department's decision to issue Permit No. 0730109-001-AC to Biomass Gas and Electric of Tallahassee, LLC, for the construction of a biomass-fed integrated gasification and combined cycle unit alternative energy facility in Leon County, Florida.

IT IS ORDERED:

- A. The request for an extension of time to file a petition for hearing in this matter for ninety (90) days is DENIED.
- B. The Department hereby GRANTS Petitioner until **December 4, 2008**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 20th day of November, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


JACK CHISOLM, Deputy General Counsel
3900 Commonwealth Boulevard - MS 35
Tallahassee, Florida 32399-3000
850/245-2242 facsimile 850/245-2302

CERTIFICATE OF SERVICE

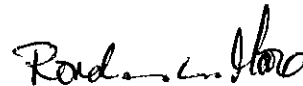
I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Request for Extension of Time to File Petition for Hearing, was furnished via United States Postal Service to the following on this 20th day of November, 2008, to:

Rahni Spencer
1612 Levy Ave.
Tallahassee, FL 32310

and via electronic mail to:

Angela Morrison Uhland
Hopping Green & Sams, P.A.
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
AUhland@hgslaw.com

*Attorney for Biomass Gas and
Electric of Tallahassee, LLC*



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cc via electronic mail:

Trina Vielhauer – DEP
Al Linero – DEP