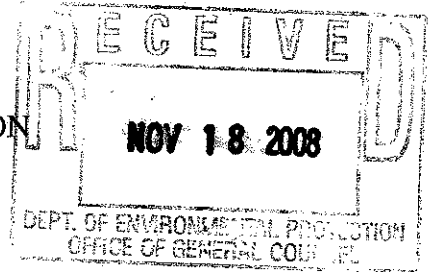


THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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
Leon County, Florida
OGC No. 08-2673
Air Permit No. 0730109-001-AC

REQUEST FOR SECOND EXTENSION OF TIME

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), a second extension of time to and including November 25, 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. On November 7, 2008, BG&E, by and through undersigned counsel, timely filed a Request for Extension of Time with the Department, requesting an extension of time to and including November 18, 2008, in which to file a Petition for Administrative Proceeding.

3. The Department granted BG&E's requested extension of time by order dated November 14, 2008. The order provided that BG&E had until November 18, 2008, to file a petition. The Department sent a copy of the order via facsimile to CF's representative (undersigned counsel) on November 14, 2008.

4. While the order granting the first requested extension stated that no further extensions would be granted, BG&E and the Department have agreed that a request for a second extension may be filed.

5. The Proposed Draft Permit contains several provisions that warrant clarification or correction.

6. Representatives of BG&E have corresponded and will continue to correspond with staff of the Department's Bureau of Air Regulation in an effort to resolve all issues.

7. This request is filed simply as a protective measure to avoid waiver of BG&E's right to file a petition. Grant of this request will not prejudice either party, but will further their mutual interest and likely avoid the need to file a petition.

8. Counsel for BG&E contacted Ronni Moore with the Department's Office of General Counsel regarding this request, and the Department has no objection.

WHEREFORE, BG&E respectfully requests that the time for filing a Petition for Administrative Hearing 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 25, 2008. If the Department

denies this request, BG&E requests the opportunity to file a Petition for Administrative Proceedings within 7 days of such denial.

Respectfully submitted this 18th day of November, 2008.

HOPPING GREEN & SAMS, P.A.



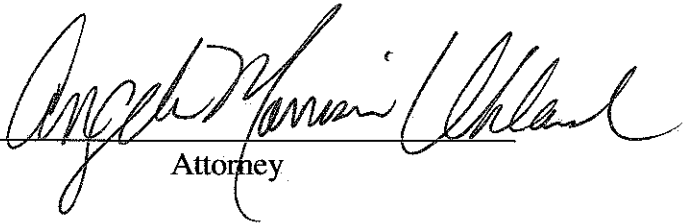
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OF TALLAHASSEE, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by
U.S. Mail on this 18th day of November, 2008:

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



Attorney

289830