

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Solar Energy System Incentives Program Rebate
Determination of Ineligibility
Application Number _____

Dear _____:

On _____ the Florida Energy and Climate Commission ("Commission"), received your application for rebate under the Solar Energy System Incentives Program. Unfortunately, your application cannot be processed because the installed system is technically ineligible for a rebate. The reason(s) for ineligibility is (are) provided below.

Reason for Ineligibility

_____. The Program statute states that application for a rebate must be made within (90 days for systems purchased prior to July 1, 2008) 120 days after the purchase of the solar energy equipment.

Notice of Rights

The Commission's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes ("F.S."), within **21** days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options.

A. If you choose to accept the Commission's decision regarding this Determination of Ineligibility, you do not have to do anything. This Order is final and effective as of the date on the top of the first page of this Order.

B. If you choose to challenge the decision, you may do the following.

1. File a request for an extension of time to file a petition for hearing with the Commission's Clerk in the Governor's Energy Office ("GEO") within **21** days of receipt of this Order; such a request should be made if you wish to meet with the Commission in an attempt to informally resolve any disputes without first filing a petition for hearing.

Or

2. File a petition for administrative hearing with the Commission's Clerk in the GEO within **21** days of receipt of this Order.
Please be advised that mediation of this decision pursuant to section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), Florida Administrative Code ("F.A.C."), the Commission may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Commission's Clerk in the GEO at 600 South Calhoun Street, Suite 251, Tallahassee, Florida, 32399-0001, within **21** days of receipt of this

Order. Petitioner, if different from the addressee, shall mail a copy of the request to the addressee at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Commission's Clerk in the GEO at 600 South Calhoun Street, Suite 251, Tallahassee, Florida, 32399-0001, within **21** days of receipt of this Order. Petitioner, if different from the rebate addressee, shall mail a copy of the petition to the addressee, at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsections 120.54(5)(b)4 and 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information.

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any;
- b) A statement of when and how each petitioner received notice of the Commission's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Commission's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Commission's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Commission's action or proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Commission to take with respect to the Commission's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Commission issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Commission pursuant to meetings with the Commission.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Commission's Clerk in the GEO, 600 South Calhoun Street, Suite 251 Tallahassee, Florida, 32399-0001, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the Commission's Clerk (see below).

Questions

Any questions regarding this Determination of Ineligibility should be directed to the Governor's Energy Office at (850) 487-3800. Please have the application number available for

reference. Contact with the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,

Executive Director or Designee
Florida Energy and Climate
Commission
Governor's Energy Office

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Florida Energy and Climate Commission Clerk, receipt of which is
hereby acknowledged.

Clerk or Designee
Florida Energy and Climate Commission, Date

CC: