

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AVENTINE RENEWABLE ENERGY  
HOLDINGS, INC., a Delaware Corporation, *et al.*,  
  
Debtors.<sup>1</sup>

Chapter 11

Case No. 09-11214 (KG)

(Jointly Administered)

Docket Ref. No. 945

**ORDER PURSUANT TO SECTIONS 105(a), AND 366 OF THE BANKRUPTCY CODE  
AUTHORIZING THE DEBTORS TO (A) CLOSE THE ADEQUATE  
ASSURANCE ACCOUNT ESTABLISHED BY THE UTILITIES ORDER  
AND (B) TRANSFER ALL FUNDS IN THE ADEQUATE ASSURANCE  
ACCOUNT AS THE DEBTORS DEEM APPROPRIATE**

Upon consideration of the motion (the "Motion")<sup>2</sup> of the above-captioned Debtors for entry of an order pursuant to sections 105(a) and 366 of the Bankruptcy Code (i) authorizing the Debtors to (a) close the Adequate Assurance Account established by the Utilities Order [Docket No. 126] and (b) transfer all funds in the Adequate Assurance Account as the Debtors deem appropriate; and due and proper notice of the Motion having been given; and it appearing that no other or further notice is required; and upon consideration of the Motion and all pleadings related thereto; and it appearing that the Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334; and it appearing that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and it appearing that venue of this proceeding and this Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Aventine Renewable Energy Holdings, Inc. (9368), Aventine Renewable Energy, LLC (0195), Aventine Renewable Energy, Inc. (8352), Aventine Renewable Energy – Aurora West, LLC (9285), Aventine Renewable Energy – Mt Vernon, LLC (8144), Aventine Power, LLC (9343), and Nebraska Energy, L.L.C. (1872). The corporate headquarters address for all of the Debtors is 120 North Parkway Drive, Pekin, Illinois 61554.

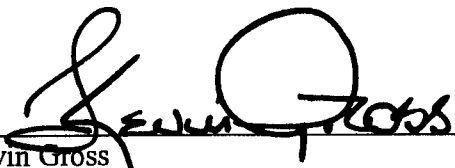
<sup>2</sup> All capitalized terms used but otherwise not defined herein shall have the meanings ascribed to such terms in the Motion.

the Motion is in the best interests of the Debtors, their estates, and creditors; and after due deliberation thereon, and good and sufficient cause appearing therefor; it is hereby

ORDERED that:

1. The Motion is GRANTED.
2. The Debtors are authorized to close the Adequate Assurance Account and transfer all funds in the Adequate Assurance Account as the Debtors deem appropriate.
3. Any bank with which the Adequate Assurance Account is maintained shall take any and all steps necessary to terminate the Adequate Assurance Deposit Account and comply with paragraph 2 above.
4. The Debtors are authorized to take all action necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
5. Except as expressly provided herein, the Utilities Order shall remain in full force and effect.
6. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
7. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: Wilmington, Delaware  
May 18, 2010

  
Kevin Gross  
United States Bankruptcy Judge