



July 2, 2008

Mike Monasmith
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

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08-AFC-3	
DATE	JUL 0 2 2008
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Dear Mr. Monasmith:

Thank you for the opportunity to comment on the Application for Certification (AFC) filed with the California Energy Commission (CEC) on May 30, 2008 by Mirant for the Marsh Landing Generating Station. The Marsh Landing Generating Station is proposed on the north side of Wilbur Avenue just west of Hwy 160. As the California Energy Commission is aware, the City of Antioch is in the process of annexing the property on which the Mirant Power facility is proposed. We have been working cooperatively with Mirant over the last year on this annexation process, and Mirant is supportive of being annexed to the City. We hope to complete the annexation in late 2008 or early 2009.

It is our understanding that the purpose of this preliminary review is to ensure that the issues that are of concern to the reviewing agency are at least identified in the AFC, and that substantive comments about the information contained in the AFC will occur at a later date. Perhaps as a way of analogy, we are considering this review as similar to a "scoping session" for a CEQA document, with the actual review of the information contained in the document to follow at a later date. We intend to actively participate in the licensing process for the Marsh Landing Generating Station, and we would appreciate receiving all the information relevant to Mirant's application. We look forward to making substantive comments on the AFC at a later date. The City of Antioch also intends to file for "Intervener" status relating to the Marsh Landing Generating Station. We understand this is a separate process and we will contact the CEC to file the necessary paperwork.

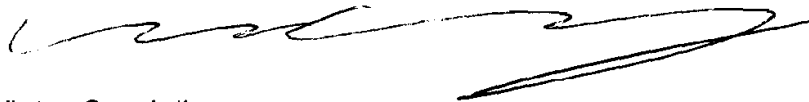
The AFC clearly covers a broad range of issues. One issue that isn't adequately identified and characterized is the pending annexation process. While the AFC clearly acknowledges that the annexation process is underway, it does not directly address the issue of the importance of the annexation in relation to the provision of infrastructure to serve the proposed power plant. Specifically, the discharge from the proposed power plant will need to be conveyed within City owned sewer lines in order to reach the DDSD pump station. DDSD does not

provide sewer collection facilities. City treated potable water is needed to serve the proposed facility. The recycled water lines returning from the new DDSD water treatment facility at the pump station will need to run through the City of Antioch. These services can only be provided to the Marsh Landing Generating Station when the property in question is annexed to the City of Antioch. The documentation in the AFC needs to be more explicit on this issue.

We do not anticipate a problem with the coordination of the timing of the annexation to the City of Antioch, which is expected to be complete in early 2009, and the Marsh Landing Power Plant becoming operational as projected in 2011. Part of this optimism is due to the cooperation we have had with Mirant to date in moving the annexation process forward.

We appreciate the opportunity to comment on the AFC at this early stage in the licensing process for this important project. Please forward any correspondence concerning this matter to Victor Carniglia, Deputy Director Advance Planning, City of Antioch, PO Box 5007, Antioch CA 94531-5007, vcarniglia@ci.antioch.ca.us.

Sincerely,



Victor Carniglia
Deputy Director Advanced Planning

cc: Jim Jakel, City Manager
Lynn Tracy Nerland, City Attorney
Guy Bjerke, Economic Development Director