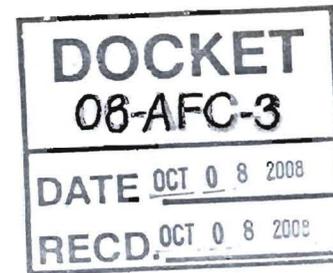


CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



OCT 8 2008



The Honorable Federal D. Glover
Contra Costa County Board of Supervisors
315 E. Leland Road
Pittsburg, CA 94565

Dear Supervisor Glover:

On May 30, 2008, the California Energy Commission received an Application for Certification (AFC) from Mirant Marsh Landing, LLC (Mirant) for the Marsh Landing Generating Station (MLGS). The proposed MLGS project would consist of natural gas fired electric generation facilities and ancillary systems including electric and gas transmission lines; water and wastewater pipelines; and a water treatment facility at the Delta Diablo Sanitation District (DDSD) Bridgehead Lift Station (BLS). The MLGS facility is proposed for a 27-acre site in Contra Costa County, California, north of the City of Antioch and currently occupied by five fuel storage tanks within Mirant's existing Contra Costa Power Plant site. If approved, construction of the new power plant is expected to occur over a 33-month period (October 2009 through June 2012), and is expected to cost approximately \$800 million.

The MLGS project would have a nominal electrical output of 930 megawatts (MW) generated from four power blocks: two Siemens Flex Plant 10 (FP10) combined-cycle units; and two Siemens 500F combustion turbine units operating in simple-cycle mode. The generators would be interconnected to the existing Pacific Gas & Electric Company (PG&E) switchyard located adjacent to the MLGS site. The MLGS would use natural gas that would be delivered via a new pipeline that connects to PG&E's interstate gas transmission Line 400, which runs along the eastern boundary of the Gateway Generating Station (GGS), immediately east of the PG&E switchyard. The MLGS FP10 units would use air-cooled heat exchanger technology to reduce consumptive water use. New water treatment facilities would be constructed at Mirant's expense by DDSD at their 3.4-acre BLS site and owned and operated by DDSD. Approximately 736 acre feet per year of recycled water from the BLS site would be delivered to the MLGS site, and associated wastewater returned, via new 1-mile-long water lines.

The Energy Commission is responsible for reviewing and ultimately approving or denying all thermal electric power plants, 50 MW and greater, proposed for construction in California. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts and engineering aspects of proposed power plants, and all related facilities such as electric transmission lines and natural gas and water pipelines. The Energy Commission is the lead agency under the California Environmental Quality Act. The Energy Commission's analysis produces several environmental and decision documents rather than an Environmental Impact Report.

On September 24, 2008, the AFC for the Marsh Landing Generating Station was deemed data adequate by the California Energy Commission and our staff will now begin the discovery and analysis phases of our permitting process. Over the coming months, the Energy Commission will conduct a number of public workshops and hearings on the proposal to determine whether the Marsh Landing Generating Station should be approved for construction and operation and under what set of conditions. These workshops and hearings will provide the public and local,

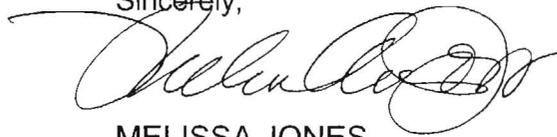
PROOF OF SERVICE (REVISED _____) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 10/10/08
MF

state and federal agencies the opportunity to ask questions about, and provide input on, the proposed project. The Energy Commission will issue notices for these workshops and hearings at least 10 days prior to the events.

As part of our review process, the staff of the Energy Commission works closely with local, state and federal agencies to ensure that all laws, ordinances, regulations and standards are met and incorporated into the final decision of the Energy Commission. To achieve this objective, the Energy Commission has sent copies of the AFC to several Contra Costa County departments including planning, transportation and health services, requesting that staff within these offices review and comment on any appropriate components of this document and assists our staff in the certification process. Under Energy Commission guidelines, local agencies may seek reimbursement for costs incurred in responding to these requests.

If your constituents would like to participate in the Energy Commission's review of the project, they should contact the Energy Commission's Public Adviser, Elena Miller, at (916) 654-4489 or toll free in California, at (800) 822-6228, or by email at PAO@energy.state.ca.us. If you or your staff have technical or project schedule questions, or if you would like additional information on reimbursement or on how the County may participate in the Energy Commission's review of the project, please contact Mike Monasmith, Project Manager, at (916) 654-8494, or by email at: mmonasmi@energy.state.ca.us. The status of the project, copies of notices, an electronic version of the AFC, and other relevant documents are available on the Energy Commission's Internet web site at: <http://www.energy.ca.gov/sitingcases/marshlanding>. Your staff and constituents can also subscribe to receive e-mail notification of all notices at: <http://www.energy.ca.gov/listservers/index.html>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Jones', with a large, stylized flourish at the end.

MELISSA JONES
Executive Director



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION FOR THE
MARSH LANDING GENERATING
STATION**

**Docket No. 08-AFC-3
PROOF OF SERVICE**

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-03
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

John Chillemi, President
Mirant – Marsh Landing
696 – W. 10th Street
P. O. Box 192
Pittsburg, California 94565
john.chillemi@mirant.com

APPLICANT'S CONSULTANTS

Anne Connell
Dale Shileikis
URS Corporation
221 – Main Street, Ste. 600
San Francisco, CA 94105
anne.Connell@URSCorp.com
dale_shileikis@urscorp.com

COUNSEL FOR APPLICANT

Lisa Cottle
Winston & Strawn, LLP
101 California Street
San Francisco, CA 94111
lcottle@winston.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

INTERVENORS

ENERGY COMMISSION

JAMES D. BOYD
Vice Chair and Presiding Member
jboyd@energy.state.ca.us

KAREN DOUGLAS
Commissioner and Associate Member
kldougla@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Mike Monasmith
Project Manager
mmonasm@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Elena Miller
Public Adviser
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Mineka Foggie, declare that on October 10, 2008, I deposited copies of the attached Letter to The Supervisor F. Glover regarding the CEC Marsh Landing AFC received on May 30, 2008 in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

_____ Original Signature in Dockets