

DOCKET

08-AFC-3

DATE AUG 16 2010

RECD. AUG 16 2010

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 08-AFC-3
Application For Certification)
For the Mirant Marsh Landing) **STAFF'S COMMENTS ON PRESIDING**
Generating Station Project) **MEMBER'S PROPOSED DECISION**
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_____)

On July 23, 2010, the Committee for the Application for Certification for the Mirant Marsh Landing Generating Station Project (Committee) published the Presiding Member's Proposed Decision (PMPD). The Notice of Availability of the PMPD encouraged parties in the case to file and serve written comments on the PMPD to the Proof of Service List and via e-mail no later than August 16, 2010.

Staff has reviewed the PMPD and the attached Appendix A, *Revised Staff Assessment*. At this time, staff is not recommending any additional changes to the PMPD.

On July 30, 2010, the *CAISO Transition Cluster Phase II Interconnection Study Report* (Phase II Study) was released. Since the Phase II Study was released following the Evidentiary Hearing held on July 1, 2010, and the release of the PMPD, Staff reviewed the Phase II Study and the applicable Condition of Certification (TSE-5) to determine if any changes would be necessary to the PMPD. TSE-5 ensures that the interconnection of the Marsh Landing Generating Station conforms with the applicable engineering, safety and reliability laws, ordinances, regulations and standards, and will not result in any significant adverse impacts on the reliability or stability of the transmission system. Staff determined the PMPD's conclusion that any downstream facilities identified in the Phase II study would be licensed and mitigated by another

agency is still valid, and staff continues to recommend Condition of Certification TSE-5. Therefore, staff is not recommending any additions or changes to the Transmission System Engineering Conditions of Certification.

DATED: August 16, 2010

Respectfully submitted,

/s/ Kerry A. Willis
KERRY A. WILLIS
Senior Staff Counsel



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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**APPLICATION FOR CERTIFICATION
FOR THE MARSH LANDING
GENERATING STATION**

Docket No. 08-AFC-3

**PROOF OF SERVICE
(Revised 6/21/2010)**

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DECLARATION OF SERVICE

I, Debra Dabney, declare that on June 28, 2010, I served and filed copies of the attached Staff's Prehearing Conference Statement. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[<http://www.energy.ca.gov/sitingcases/marshlanding/index.html>].

The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery;

by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-3

1516 Ninth Street, MS-4

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I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

/S/ Debra Dabney

Debra Dabney

Chief Counsel's Office