State Of California

Memorandum

The Resources Agency of California

Date : July 31, 2007
Telephone: (916) 654-3933
ATSS

To : Jackalyne Pfannenstiel, Chair
James D. Boyd, Vice Chair
Arthur H. Rosenfeld, Ph.D., Commissioner
John L. Geesman, J.D., Commissioner
Jeffrey Byron, Commissioner

From : California Energy Commission - **Terry O'Brien**
1516 Ninth Street
Sacramento, CA 95814-5512

Subject : **GATEWAY GENERATING STATION, 00-AFC-1C**
RESPONSES TO COMMENTS ON THE STAFF ANALYSIS FOR THE DRY COOLING PETITION

The Energy Commission staff received comments on the Gateway Generating Station Dry Cooling Petition Staff Analysis from Charles Worrell on July 20, 2007, and from Tony Chapman on July 24, 2007. They are both members of the Sportsmen Yacht Club and participated in the original Contra Costa Unit 8 Project proceedings. Three additional letters, divided by issue area, were received via fax from Mr. Worrell on July 30, 2007.

Energy Commission staff reviewed the concerns over notification and the request for an extension of the hearing in Mr. Worrell's letter post marked July 19, 2007 and determined that the petition was properly noticed and that any potential increases in environmental impact over the originally approved project have been addressed.

Energy Commission staff reviewed and considered the comments on the Staff Analysis in the July 24, 2007 letter from Mr. Chapman, and responded in a detailed letter on July 26th. Staff addressed each comment and found no substantive issues.

The CPM reviewed the three letters, received via fax on July 30th (dated July 28th), with staff and addressed the individual issues raised in the letters in a telephone conversation with Mr. Worrell on July 30th. The letters raised several issues related to the separation of the Gateway Generating Station from Mirant Units 6 & 7. The CPM explained that the Energy Commission does not have jurisdiction over Units 6 & 7, and that the California Department of Fish and Game will address any permit issues or environmental impacts related to Mirant's use of river water for cooling Units 6 & 7.

Enclosed are the four letters from Mr. Worrell, the letter from Mr. Chapman, and staff's written responses to the first two letters. The letters contained no substantive issues that were not addressed in the Staff Analysis and staff supports the recommendations made in the Staff Analysis and errata.

Enclosures