

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA**

Application for Certification for the
Mirant Willow Pass Generating Station Project

Docket No. 08-AFC-6

DOCKET

08-AFC-6

DATE APR 28 2010

RECD. APR 28 2010

**NINTH STATUS REPORT OF
MIRANT WILLOW PASS, LLC**

April 28, 2010

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**NINTH STATUS REPORT OF
MIRANT WILLOW PASS, LLC**

In accordance with the Committee Scheduling Order dated December 31, 2008, Mirant Willow Pass, LLC ("Mirant Willow Pass") submits its ninth status report in this proceeding. Mirant Willow Pass is requesting certification for the Willow Pass Generating Station ("WPGS"), a 550 megawatt, natural gas-fired electricity generating facility to be located at a site within the existing site of the Pittsburg Power Plant in Pittsburg, California.

As reported in the eighth status report, Mirant Willow Pass has been working with Pacific Gas and Electric Company ("PG&E"), the previous owner of the project site, to prepare a work plan for conducting additional soil gas sampling at the project site. PG&E has now completed a draft of the work plan. Mirant Willow Pass is reviewing the draft work plan and will submit it to Staff once review is complete. We understand that the report to be prepared pursuant to the work plan will enable Staff to complete a Staff Assessment for the project, which will be issued without first publishing a Preliminary Staff Assessment. The Staff Assessment will address all topic areas other than Air Quality and related matters that require a Determination of Compliance ("DOC") from the Bay Area Air Quality Management District ("BAAQMD").¹

April 28, 2010

Respectfully submitted,



Lisa A. Cottle
Winston & Strawn LLP
Attorneys for Mirant Willow Pass, LLC

¹ At this time BAAQMD does not have a projected issuance date for the Preliminary DOC.

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DECLARATION OF SERVICE

I, Lisa A. Cottle, declare that on April 28, 2010, I served and filed copies of the attached *Ninth Status Report of Mirant Willow Pass, LLC (Docket No. 08-AFC-6)*. The original document filed with the Docket Unit is accompanied by a copy of the most recent Proof of Service list, located at the web page for this project at <http://www.energy.ca.gov/sitingcases/willowpass/index.html>. The document has 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:

- For service to all other parties: Sent electronically to all email addresses on the Proof of Service list; and by depositing in the United States mail at San Francisco, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked as "email preferred."

AND

- For filing with the Energy Commission: Sent an original paper copy and one electronic copy, mailed and emailed respectively, to the address below:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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



Lisa A. Cottle



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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APPLICATION FOR CERTIFICATION
FOR THE **WILLOW PASS**
GENERATING STATION

Docket No. 08-AFC-6

PROOF OF SERVICE
(Revised 4/19/2010)

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