



February 17, 2010

John Chillemi
President, Mirant Marsh Landing, LLC
696 West 10th Street
Pittsburg, California 94565

DOCKET

08-AFC-3

DATE FEB 17 2010

RECD. FEB 23 2010

Dear Mr. Chillemi:

The City of Antioch ("City") has had discussions with Mirant Marsh Landing, LLC ("Mirant") regarding the use of potable water and the discharge of process wastewater from the proposed Marsh Landing Generating Station ("MLGS"), a 760 megawatt natural gas-fired electricity generating facility that Mirant is developing at the site of the existing Contra Costa Power Plant. The City understands that Mirant proposes to discharge an estimated 0.2 million gallons per day of process wastewater, as well as 150 gallons per day of sanitary wastewater from the MLGS directly to the City's sanitary sewer line along Wilbur Avenue, which will convey the wastewater to the Delta Diablo Sanitation District's Bridgehead Lift Station. Delta Diablo Sanitation District treats sanitary sewer flows from the City of Antioch and as such, is the agency to be contacted to obtain permission to sewer into their system and plant. It is also our understanding that the MLGS will utilize approximately 50 acre-feet per year of potable water.

The City is capable of providing potable water and sewer collection services to the MLGS in sufficient quantities to accommodate the MLGS as outlined above, specifically the 0.2 million gallons per day of process wastewater, the 150 gallons per day of sanitary wastewater, and the need for 50 acre feet per year of potable water. Provision of these utilities by the City of Antioch is contingent on the property on which the MLGS is located being annexed into the City of Antioch. This annexation process, which has been formally initiated by the City of Antioch and includes the MLGS site, is well underway and should be acted on by LAFCO and finalized in the late Spring/Summer 2010.

This letter also confirms that the City will allow the discharge of MLGS process and sanitary wastewater into the City's sanitary sewer system and connection to the City water system provided that Mirant provides and pays for all required physical connections to the City systems, pays all required and applicable fees in effect at the time of any connection, and agrees to enter into a reimbursement agreement with the City of Antioch to pay for Mirant's proportionate share of sanitary sewer capacity previously funded by a downstream property owner. This letter constitutes a "will-serve" letter that can be provided to the California Energy Commission in support of Mirant's application for certification of the MLGS.

Sincerely,

Ron Bernal, P.E.
Director of Public Works

cc: Jim Jakel, City of Antioch City Manager
Lynn Tracy Nerland, City of Antioch City Attorney
Victor Carniglia, City of Antioch Project Manager
Chip Little, Mirant



**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
(REVISED 11/30/2009)**

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DECLARATION OF SERVICE

I, Catherine Short, declare that on February 23, 2010, I served and filed copies of the attached Will-Serve Letter from City of Antioch. 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 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:

(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 or 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 "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
Sacramento, CA 95814-5512

docket@energy.state.ca.us

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

