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

Application for Certification for the Mirant Marsh Landing Generating Station Project	Docket No. 08-AFC-3

DOCKET
08-AFC-3
DATE July 22 2009
RECD. July 22 2009

FOURTH STATUS REPORT OF MIRANT MARSH LANDING, LLC

July 22, 2009

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

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FOURTH STATUS REPORT OF MIRANT MARSH LANDING, LLC

In accordance with the Committee Scheduling Order dated December 31, 2008, Mirant Marsh Landing, LLC ("Mirant Marsh Landing") submits its fourth status report in this proceeding. On May 30, 2008, Mirant Marsh Landing filed an Application for Certification ("AFC") for the Marsh Landing Generating Station ("MLGS"), a 930 megawatt, natural gas-fired electricity generating facility to be located at a site within the existing site of the Contra Costa Power Plant. The AFC was determined to be data adequate on September 24, 2008.

Staff issued a second set of Data Requests (60 through 69) on April 24, 2009. Mirant Marsh Landing has now submitted responses to all of the second set of Data Requests and understands that staff is in the process of reviewing those responses.

As Staff explained in its most recent status report, the Preliminary Staff Assessment is delayed pending issuance by the Bay Area Air Quality Management District ("BAAQMD") of its Preliminary Determination of Compliance ("PDOC") for the project. Mirant Marsh Landing continues to work with the BAAQMD to provide information and analysis to assist the BAAQMD in completing the PDOC so it can be released as soon as possible.

July 22, 2009

Respectfully submitted,

Lisa A. Cottle
Winston & Strawn LLP
Attorneys for Mirant Marsh Landing, LLC

SF:256466.2

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

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DECLARATION OF SERVICE

I, Lisa A. Cottle, declare that on July 22, 2009, I served and filed copies of the attached ***Fourth Status Report of Mirant Marsh Landing LLC (Docket No. 08-AFC-3)***. 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/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:

- 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 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-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.

Lisa A. Cottle

SF:251457.2

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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APPLICATION FOR CERTIFICATION FOR THE MARSH LANDING *GENERATING STATION*

Docket No. 08-AFC-3

PROOF OF SERVICE
(Revised 5/22/2009)

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