APPENDIX 2J

Ironhouse Sanitary District Will Serve Letter

Fax
(925) 625-0169

IRONHOUSE SANITARY DISTRICT
450 Walnut Meadows Drive . P.O. Box 1105 . Oakley, CA 94561

Telephone
(925) 625-2279

June 19, 2009

Mr. Bryan Bertacchi
Radback Energy
P.O. Box 1690
Danville, CA 94526

SUBJECT: SANITARY SEWER SERVICE
CONTRA COSTA GENERATING STATION LLC

Dear Mr. Bertacchi:

Ironhouse Sanitary District (ISD) will provide sanitary sewer service to the proposed Contra Costa Generating Station (CCGS) on the old Dupont property subject to the following conditions:

1. Service will be provided at the time of issuance of a building permit subject to there being available treatment plant capacity. ISD understands sanitary sewer service, for a flow up to 200 gpm, will be needed for the proposed project by 2012, at the earliest. ISD is proposing construction of a new wastewater treatment plant with construction completion expected by the end of 2011. In the event construction of the WWTP is delayed ISD could construct interim WWTP improvements to accommodate additional flows for the CCGS if this becomes necessary.

2. Service will be provided subject to entering into necessary agreements and providing the appropriate bonds and insurance in accordance with ISD standards.

3. Service will be provided subject to full compliance with ISD Ordinances.

4. Service will be provided as long as waste flows from the CCGS allow ISD to fully comply with regulatory permit requirements.

5. Service will be provided subject to payment of all fees and charges at times specified in ISD rules, regulations, and ordinances.

6. Service will be provided subject to ISD approved and implemented improvement plans and conditions.

7. This letter is issued as an indication that ISD is willing to provide sewer service but is not to be taken as a guarantee of service in the event ISD is unable to provide service for some unforeseeable future conditions or restrictions.

Sincerely,
IRONHOUSE SANITARY DISTRICT

Jennifer Skrel
District Engineer

cc: Engineer, City of Oakley
Project File