

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Mirant Delta, LLC) Docket No. ER05-343-000
Mirant Potrero, LLC)

**NOTICE OF WITHDRAWAL
OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORP., PACIFIC GAS
AND ELECTRIC COMPANY, CALIFORNIA ELECTRICITY OVERSIGHT BOARD,
AND CALIFORNIA PUBLIC UTILITIES COMMISSION**

Pursuant to Rule 216 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 216 (2004), the California Independent System Operator Corporation (“CAISO”), Pacific Gas and Electric Company (“PG&E”), the California Electricity Oversight Board (“EOB”), and the California Public Utilities Commission (“CPUC”) (collectively, the “California Parties”) hereby provide notice that they are withdrawing their Joint Protest, filed in the above-captioned proceeding on January 6, 2005.

On December 16, 2004, Mirant Delta, LLC and Mirant Potrero, LLC (collectively “Mirant”) filed a Limited § 205 Filing which filing contained revisions to certain Reliability Must-Run Rate Schedules of its Reliability Must Run Agreements (“RMR Agreements”) with the CAISO for Contract Year 2005 for the Contra Costa Plant, Pittsburg Power Plant and the Potrero Power Plant. On January 7, 2005, Mirant amended its Limited § 205 Filing to reflect a partial

settlement of the issues related to its proposed revisions. On January 6, 2005, the California Parties filed a Joint Protest raising two discrete issues.

On February 11, 2005, the Commission accepted for filing and suspended the proposed revisions to Mirant's 2005 RMR Agreements. In addition, the Commission initiated settlement procedures pursuant to Rule 603 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.603, to resolve the issues raised in the Joint Protest.

Since filing the Joint Protest, Mirant and the California Parties have discussed the issues raised in the Joint Protest and have successfully resolved the concerns regarding the applicable surcharge payment factor and the references to non-RMR Units in Schedule A. On June 20, 2005, Mirant filed substitute revised sheets to reflect the agreed upon language for Schedule A, Section 3, Operational and Regulatory Limits of RMR Units – Other Limits for both the Contra Costa and Pittsburg Power Plants.

Therefore, the California Parties now withdraw their Joint Protest in the above-captioned docket. The California Parties understand that the withdrawal of their protest will become effective fifteen (15) days from the date of this notice unless a protest to the withdrawal is filed by a party in the above-captioned proceeding prior to the expiration of this 15-day period. The California Parties are not withdrawing their interventions in this docket.

Dated: June 20, 2005

Respectfully submitted

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CERTIFICATE OF SERVICE

I hereby certify that I have, this 20th day of June 2005, caused to be served a copy of the foregoing document upon all parties listed on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

/s/ Sidney Mannheim Davies
Sidney Mannheim Davies
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