

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Mirant Delta, LLC
Docket No. ER08-128-000
December 11, 2007

Mirant Corporation
601 13th Street N.W., Suite 850N
Washington, D.C. 20005

Attention: Mr. David J. Reich
Director, Federal Regulatory Affairs

Reference: Notice of Cancellation

Dear Mr. Reich:

On October 31, 2007, Mirant Delta, LLC (Mirant Delta) filed a Notice of Cancellation of its Reliability Must-Run Service Agreement (RMR Agreement) between Mirant Delta and the California Independent System Operator Corporation (CAISO) for Contra Costa Power Plant Units 4 and 5¹ to be effective January 1, 2008. Your submittal is accepted for filing effective January 1, 2008, as requested.

Additionally, Mirant Delta seeks authorization to invoice and receive payment from the CAISO for unplanned repairs made to Contra Costa Unit 5 pursuant to section 7.5 of the RMR Agreement. The unplanned repairs appear to be accrued rights and obligations addressed in section 2.4 of the RMR Agreement that are not affected by the termination.

This filing was noticed on November 5, 2007, with comments, protests or motions to intervene due on or before November 21, 2007. No adverse comments, protests or motions to intervene were filed. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 211 and Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R § 385.211 and § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

¹ FERC Electric Rate Schedule No. 4.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rates or services provided for in the filed documents; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Mirant Delta.

Authority to act on this matter is delegated to the Director, Division of Tariffs and Market Development - West, under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

If you have any questions regarding this letter order, please contact Robert Machuga at (202) 502-6004.

Sincerely,

Steve P. Rodgers, Director
Division of Tariffs and
Market Development-West