

Mirant Lovett, LLC
37 Elm Street
Tomkins Cove, NY 10986
T 845 786 8277 F 845 786 8



October 22, 2007

Hon. Jaclyn Brilling
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, NY 12223

Dear Secretary Brilling:

On October 20, Mirant Lovett, LLC ("Mirant Lovett") submitted a notice stating that it intended to discontinue operation of Unit 4 at the Lovett generating station at 12:00 midnight on April 19, 2008. Please note that this notice contained a typographical error, and that the correct unit that will discontinue operations is Unit 5. Unit 4 already discontinued operations as of 11:59 p.m. on May 7, 2007.

Please contact me at (508) 833-5311 if you have any questions.

Sincerely,

Jeffrey R. Perry
President
Mirant Lovett, LLC

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37 Elm Street
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October 20, 2007

Hon. Jaclyn Brilling
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, NY 12223

Dear Secretary Brilling:

Pursuant to the Commission's *Generating Unit Retirement Order*¹, Mirant Lovett, LLC ("Mirant Lovett") hereby provides notice that it intends to discontinue operation of Unit 4 at the Lovett Generating Station at 12:00 midnight on April 19, 2008.

Operations at Unit 4 are being discontinued consistent with the Consent Decree dated June 11, 2003 ("Consent Decree") between Mirant Lovett, the New York Attorney General's Office, and the New York State Department of Environmental Conservation ("NYSDEC"), as amended by the Stipulated Amendment to Consent Decree dated May 11, 2007. While the Consent Decree, as amended, would require Unit 4 to discontinue operations of Unit 4 as of April 30, 2008, Mirant Lovett intends to discontinue operation of Unit 4 on April 20, 2008 because it would be uneconomic to install a Marine Life Exclusion System (i.e., the Gunderboom), as required by Mirant Lovett's SPDES permit (as modified by an Order on Consent between Mirant Lovett and the NYSDEC dated June 30, 2004), for the ten days between April 20 and April 30.

Mirant Lovett continues to explore alternatives to discontinuing operations of this unit and/or installing the Gunderboom for a ten day period. If Mirant Lovett is successful in finding such

¹ Case No. 05-E-0889, Proceeding on Motion of the Commission to Establish Policies and Procedures Relating Generating Unit Retirements, *Order Adopting Notice Requirements for Generating Unit Retirements* (issued and effective December 20, 2006).

Letter to Hon. Jaclyn Brillling

October 20, 2007

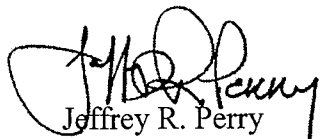
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alternatives, Mirant Lovett may rescind this notification or provide further notice of an extension of the date for discontinuing operation before April 19, 2008.

In conformance with the requirements of the *Generating Unit Retirement Order*, Mirant Lovett is providing a copy of this notice to the New York Independent System Operator ("NYISO") and each affected transmission & distribution utility believed by Mirant Lovett to be affected by this notice.

Please contact me at (508) 833-5311 if you have any questions about this notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey R. Perry". The signature is stylized with a large initial "J" and "P".

Jeffrey R. Perry

President

Mirant Lovett, LLC