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**CO-COUNSEL FOR THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS OF
MIRANT CORPORATION, ET AL.**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

_____)	
In re)	Chapter 11 Case
)	
MIRANT CORPORATION, <u>et al.</u> ,)	Case No. 03-46590-DML
)	Jointly Administered
Debtors.)	
)	
_____)	

**AGREED MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS
OF MIRANT CORPORATION FOR AN ORDER AUTHORIZING
THE EXAMINATION OF THE SOUTHERN COMPANY PURSUANT TO
FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

The Official Committee of Unsecured Creditors of Mirant Corporation (the “Committee”), by and through its undersigned counsel, submits this motion (the “Motion”) for **AGREED MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MIRANT CORPORATION FOR AN ORDER AUTHORIZING THE EXAMINATION OF THE SOUTHERN COMPANY PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

an Order pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure, authorizing the examination of The Southern Company (“Southern Company”) by the Committee, and respectfully represents as follows:

1. The Committee desires to investigate Southern Company’s divestiture of Mirant Corporation (“Mirant”).

2. The Committee intends to conduct this investigation to determine whether Mirant has claims against Southern Company in connection with such divestiture.

3. Attorneys for the Committee and for Southern Company have conferred and agreed upon a procedure and schedule for production of documents and for a Rule 2004 examination of a representative of Southern Company. Accordingly, Southern Company has agreed to the relief sought in this motion.

WHEREFORE, the Committee respectfully requests that the Court enter an order approving a Rule 2004 examination of Southern Company regarding Southern Company’s divestiture of Mirant.

Dated: March 16, 2004
Dallas, Texas

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By: /s/ Jason S. Brookner

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**AGREED MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MIRANT
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PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 16th day of March, 2004, he caused a true and correct copy of the foregoing document to be served on the parties appearing on the attached Service List via first class U.S. Mail, postage prepaid.

/s/ Jason S. Brookner
Jason S. Brookner

AGREED MOTION OF THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF MIRANT CORPORATION FOR AN ORDER AUTHORIZING THE EXAMINATION OF THE SOUTHERN COMPANY PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004

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