

Thomas E Lauria
State Bar No. 11998025
Craig H. Averch
State Bar No. 01451020
WHITE & CASE LLP
Wachovia Financial Center
200 South Biscayne Blvd.
Miami, FL 33131
Telephone: (305) 371-2700
Facsimile: (305) 358-5744

Robin Phelan
State Bar No. 15903000
Judith Elkin
State Bar No. 06522200
HAYNES AND BOONE, LLP
901 Main Street
Suite 3100
Dallas, TX 75202
Telephone: (214) 651-5000
Facsimile: (214) 651-5940

ATTORNEYS FOR THE DEBTORS AND DEBTORS-IN-POSSESSION

**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.)	
)	Requested Date and Time:
)	June 23, 2004 at 10:30 a.m.

**REQUEST FOR EXPEDITED HEARING TO CONSIDER DEBTORS' MOTION
PURSUANT TO 11 U.S.C. § 363(b) TO APPROVE FIRM, WHOLESALE
ENERGY AND CAPACITY OFFER BETWEEN MIRANT AMERICAS
ENERGY MARKETING, LP AND THIRD PARTY**

TO THE HONORABLE D. MICHAEL LYNN, UNITED STATES BANKRUPTCY JUDGE:

Mirant Corporation (“Mirant”) and its affiliated debtors (collectively, “Mirant” or the “Debtors”), as debtors-in-possession, file this Request for Expedited Hearing (the “Request”) to consider the Debtors’ *“Motion Pursuant to 11 U.S.C. § 363(b) to Approve Firm, Wholesale Energy and Capacity Offer Between Mirant Americas Energy Marketing, LP and Third Party”* (the “Motion”). The Debtors hereby respectfully request that the Court hear the Motion on an

expedited basis on **June 23, 2004 at 10:30 a.m.** In support of this Request, the Debtors state as follows:

As set forth in greater detail in the Motion, the Debtors request entry of an order pursuant to Section 363(b) to approve a firm, wholesale energy and capacity offer between Mirant Americas Energy Marketing, LP and a third party.

It is necessary for the Debtors to have the matter heard on June 23, 2004 because the Cape Light Compact ("Compact"), a municipal aggregator, has requested proposals ("RFP") for the supply of retail electricity for the Default Service and Standard Offer Service customers located on Cape Cod and Martha's Vineyard, Massachusetts and established June 28, 2004 as the deadline for submitted such proposals.

The Debtors are interested in participating in the RFP process directly. However, because the Debtors are in bankruptcy, they are not approved as a qualified bidder. The Debtors have an opportunity to provide a firm energy and capacity offer to a qualified bidder (the "Third Party"), who will in turn bundle the energy with various energy-related services. The entire bid will be submitted by the Third Party to the Compact.

In order to obtain court approval of the bid and transaction in advance of the June 28, 2004 bid deadline, the Debtors request that the Court consider the Motion at the regularly-scheduled, weekly Mirant hearings on June 23, 2004. The Debtors made a presentation to the Committees' advisors on June 17, 2004 and believe the Committees are in favor of the relief requested and do not oppose the request to expedite the hearing.

Pursuant to this Court's *Order Granting Debtors' Motion Pursuant to Section 105 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 9014(a) for an Order Establishing Uniform Schedule for the Filing and Service of Responses and Objections to Contested Motions*,

if the Court grants this request, responses and objections to the Motion must be filed and served no later than **4:00 p.m. (Central Time) on June 21, 2004.**

Therefore, the Debtors request that the Court enter an Order setting a hearing on the Motion for **June 23, 2004 at 10:30 a.m.** and requiring responsive pleadings to be filed and served so they are received by no later than **4:00 p.m. (Central Time) on June 21, 2004.**

Respectfully submitted this 17th day of June, 2004.

HAYNES AND BOONE, LLP
901 Main Street
Suite 3100
Dallas, Texas 75202
214-651-5000

By: Ian T. Peck
Robin E. Phelan
State Bar No. 1590300
Judith Elkin
State Bar No. 06622200
Ian T. Peck
State Bar No. 24013306

and

Thomas E. Lauria
State Bar No. 11998025
Michelle C. Campbell
State Bar No. 24001828
WHITE & CASE, LLP
Wachovia Financial Center
200 South Biscayne Blvd.
Miami, Florida 33131
305-371-2700

ATTORNEYS FOR THE DEBTORS AND
DEBTORS-IN-POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he provided a true and correct copy of the forgoing to Bankruptcy Services, LLC and directed them to effect service upon all persons on the Limited Service List via email, facsimile or overnight mail on the 17th day of June, 2004.

/s/ Ian T. Peck

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

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

**ORDER EXPEDITING CONSIDERATION OF DEBTORS' MOTION
PURSUANT TO 11 U.S.C. § 363(b) TO APPROVE
FIRM, WHOLESALE ENERGY AND CAPACITY OFFER BETWEEN
MIRANT AMERICAS ENERGY MARKETING, LP AND THIRD PARTY**

Came before the Court for consideration the Request for Expedited Hearing (the "Request") regarding the "*Motion Pursuant to 11 U.S.C. § 363(b) to Approve Firm, Wholesale Energy and Capacity Offer Between Mirant Americas Energy Marketing, LP and Third Party*" (the "Motion") filed by Mirant Corporation and its above-captioned affiliated debtors (collectively, the "Debtors"). After considering the Request and the representations made therein, the Court finds that the Request has merit and should be granted. It is therefore, hereby

ORDERED that the Request is granted in full and in all respects; and it is further

ORDERED that the hearing on the Motion is set for June 23, 2004 at 10:30 a.m.; and it is further

ORDERED that responses and objections to the Motion must be filed and served upon Debtors' counsel, counsel for the Official Committees, the U.S. Trustee and such other persons identified in the Certificate of Service to the Motion to ensure receipt by no later than 4:00 p.m. (prevailing central time) on Monday, June 21, 2004.

ORDERED that the Debtors shall serve immediately a copy of this Order on all parties upon whom the Debtors served the Motion.

SIGNED: _____

Honorable D. Michael Lynn
United States Bankruptcy Judge