

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

California Independent System)	Docket Nos. ER00-2019-013
Operator Corporation)	ER01-819-006
)	ER03-608-004

**BRIEF OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION
OPPOSING EXCEPTIONS**

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I. INTRODUCTION

Pursuant to Rule 711 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.711 (2001), the California Independent System Operator Corporation (“ISO”)¹ submits this Brief Opposing Exceptions to the Partial Initial Decision² issued in the above-captioned docket on October 21, 2003 (“Partial ID”).

II. SUMMARY

In this brief, the ISO will demonstrate that the exceptions to the Partial ID proceeding by the California Public Utilities Commission (“CPUC”) and the State Water Project of the California Department of Water Resources (“SWP”) regarding whether transmission facilities that have been turned over to ISO Operational Control are appropriately included in

¹ Capitalized terms not otherwise defined herein shall have the meaning set forth in the Master Definitions Supplement, Appendix A to the ISO Tariff.

² *California Independent System Operator Corporation*, 105 FERC ¶ 63,008 (2003) (“Partial ID”).

the Transmission Revenue Requirements (“TRRs”) of the Participating Transmission Owners (“Participating TOs”) are without merit.

As a threshold matter, it appears to the ISO that what the CPUC and SWP are actually concerned about is whether certain facilities are included in what has been turned over to ISO Operational Control, and thus into the individual Participating TOs’ TRRs and the ISO’s transmission Access Charge and Wheeling Access Charge. Had the issue of whether, in order to be just and reasonable, the ISO Tariff must specify which facilities *should* be turned over to the ISO’s Operational Control been fully litigated in this docket, the ISO would have taken the position that such specification is unnecessary. The description of the types of facilities appropriate for the ISO’s Operational Control is already included in the Transmission Control Agreement, on file with the Commission. *See, e.g.*, TCA §§ 4.1.1 and 4.1.3.³ The decision as to which specific facilities should be placed under the ISO’s Operational Control is properly made when a specific utility becomes a Participating TO. *See, e.g.*, TCA § 2.2. Consistent with the position it took at the Oral Argument held October 7, 2003 (Tr. 237-238), however, the ISO takes no position as to whether the issue, in order to be just and reasonable, the ISO Tariff must specify which facilities *should* be turned over to its Operational Control was appropriate for summary judgment, but merely on whether the Presiding Judge properly issued summary judgment that the costs of facilities that *have* been turned over to the ISO’s Operational Control ought to be included in the TRRs.

³ The TCA is enhanced in this regard by the Application for Participating Transmission Owner Status that is posted on the ISO website at <http://www.caiso.com/docs/2000/06/27/2000062710375111066.pdf>. This document is included as Attachment A to this brief.

III. STATEMENT OF THE CASE

A. The California ISO

The ISO is a California non-profit public benefit corporation, organized pursuant to the Nonprofit Public Benefit Corporation Law for the charitable purposes set forth in Chapter 2.3, Part 1, Division 1 of the Public Utilities Code of the State of California. The ISO, created at the direction of the California Legislature, is organized specifically to ensure efficient use and reliable operation of the electric transmission grid in the State of California. *See* Cal. Pub. Util. Code § 300, *et seq.* (West Supp. 1998); CPUC Decision No. 95-12-063 (Dec. 20, 1995), *as modified by* Decision No. 96-01-009 (1996), 166 PUR4th 1 (1996). The ISO is a “public utility” as that term is defined in Section 201 of the Federal Power Act (“FPA”), 16 U.S.C. § 824(e) (2000).

B. Procedural History

This matter commenced when the ISO filed Amendment No. 27 to the ISO Tariff on March 31, 2000. Among the changes to the ISO Tariff proposed in Amendment No. 27 were:

1. A change in the definition of Transmission Revenue Requirement to require that “The costs of any transmission facility turned over to the Operational Control of the ISO shall be fully included in the Participating TO’s TRR”;
2. A change to Section 3.1, to, *inter alia*, require New Participating TOs to turn over to ISO Operational Control all transmission facilities that meet the ISO’s criteria; and
3. The deletion of Section 7.1.6, which had described the nature of the filing on the Access Charge to be determined by the ISO within two years of its Operation Date (Amendment No. 27 became this Access Charge filing).

The Commission accepted Amendment No. 27, made it effective July 1, 2000, set it for hearing, and held the hearing in abeyance pending settlement proceedings.

Settlement discussions concluded in December 2002 and the hearing was scheduled for and commenced on October 21, 2003. On July 3, 2003, Southern California Edison Company (“SCE”) filed a Motion to Limit Scope of Proceedings, requesting that the issue of what facilities are appropriately placed under ISO Operational Control and the process used by the ISO to determine whether facilities are eligible to be turned over to ISO Operational Control were not within the scope of the proceeding. SWP filed an Answer in opposition to SCE’s July 3 Motion on July 11, 2003, indicating that the question of whether certain facilities should be turned over to ISO Operational Control, and thus included in Access Charge rates, was appropriate subject matter for this proceeding. SWP Answer at 2. Oral argument was held regarding, *inter alia*, SCE’s July 3 Motion on July 16, 2003. At the oral argument, the ALJ denied SCE’s July 3 Motion without prejudice, “so that SCE may refile, if and when we get some guidance from the Commission on this issue.” Tr. 171:5-6.

On August 27, 2003, SCE filed a Motion for Summary Disposition, requesting that the ALJ rule that SWP had failed to show that the ISO Tariff “lacks clarity regarding the ISO’s policy as to what facilities’ costs may be included in the Access Charges at issue in this proceeding,” and that “the policy that is reflected in the ISO Tariff mirrors FERC policy and thus cannot be found to be unjust and unreasonable.” SCE August 27 Motion at 1. Pacific Gas and Electric Company (“PG&E”) filed an Answer in support of SCE’s August 27 Motion on September 11, in part to bring to the ALJ’s attention a certain Commission ruling⁴ that had been issued the day after SCE’s Motion was filed. SWP filed an Answer in opposition to the August 27 Motion on September 11, 2003.

⁴ This ruling was Opinion No. 466, *Pacific Gas and Electric Company*, 104 FERC ¶ 61,266 (August 28, 2003), discussed below.

Oral argument was held on SCE's August 27 Motion on October 7, 2003, and on October 9, 2003, the Presiding ALJ issued an Order granting SCE's Motion for Partial Summary Disposition with regard to this issue (confirming an oral grant of the Motion during the October 7 Oral Argument).

On October 21, the ALJ issued the Partial ID, which found that:

1. The standard to apply to the questions at hand was the standard for summary disposition (105 FERC at P 13);
2. Commission Opinion No. 466 provided appropriate guidance to resolve the issue (105 FERC at P 14); and
3. There were no issues of fact material to the decision (*Id.*).

In light of these findings, the ALJ ruled that there were no material facts in dispute, (*Id.* at P 17) and thus partial summary disposition of this matter was appropriate. *Id.* at P 18.

On November 20, 2003, the CPUC and SWP filed individual Briefs on Exceptions to the Partial ID.

IV. EXCEPTIONS OPPOSED

The ISO opposes the following specific exceptions to the Partial ID put forward by SWP:

1. The Partial I.D. erred by relying solely on Opinion No. 466 for policy guidance.
2. The Partial I.D. erred by not considering the policies stated in the Commission's SMD NOPR.
3. The Partial I.D. erred by not applying the principles established in Order No. 2003 to the ISO's Tariff proposal.

4. The Partial I.D. erred by not applying the just and reasonable standard of Section 205 of the Federal Power Act to the ISO's Tariff Provisions.⁵

SWP Brief on Exceptions at 13.

The ISO opposes the following specific exception to the Partial Initial Decision put forward by the CPUC:

The Partial ID erred in finding that “ [T]he costs of any facilities turned over to the ISO's Operational Control should be included in the ISO's Tariff.”

CPUC Brief on Exceptions at 8.

V. ARGUMENT

A. Opinion No. 466 is a Sufficient Basis for the Partial ID

Opinion No. 466

Opinion No. 466, issued on August 28, 2003, directly addresses the question of what facilities are to be included in a Participating TO's rate base – namely, all facilities that have been turned over to ISO Operational Control. Opinion No. 466 at P 13. This is entirely consistent with the proposed alteration to the definition of TRR in the ISO Tariff, which reads: “The costs of any transmission facility turned over to the Operational Control of the ISO shall be fully included in the Participating TO's TRR.” Master Definitions Supplement, Appendix A of the ISO Tariff. Opinion No. 466, moreover, deals specifically with the issues and context of the California ISO, rather than taking the form of generalized rulemaking or other Commission pronouncement.

That the proceeding giving rise to Opinion No. 466 was significant and germane to the issues of concern to SWP in this proceeding is made manifest by SWP's repeated

⁵ The ISO opposes this exception to the extent it relates to whether facilities under ISO Operational Control ought to be included in ISO Access Charges and Wheeling Access Charges.

citation to the ALJ decision in that proceeding. Indeed, SWP cites Judge Young's Initial Decision in *Pacific Gas and Electric Company*, 97 FERC ¶ 63,014 (2001) in the proceeding giving rise to Opinion No. 466 as part of its argument that this issue remain in the proceeding as far back as its July 11 Answer to SCE's Motion to Limit the scope of the proceeding. In its Answer, SWP claimed that its position "had been tested – and has prevailed – in a litigated case." SWP July 11 Answer at 8. The case in which SWP's position had prevailed, of course, was Judge Peter Young's Initial Decision, which Opinion No. 466 overturned.⁶

Moreover, in deciding to deny SCE's July 3 Motion, and allow this issue to remain in the proceeding, Judge McCartney specifically indicated that she was making the determination without prejudice to revisiting it once "some guidance from the Commission" were available. July 16 Oral Argument, Tr. 171. It is clear from the context of the discussion on the record that a Commission order on Judge Young's Initial Decision was precisely what Judge McCartney had in mind as constituting such "guidance from the Commission."⁷

That Opinion No. 466 is not to SWP's taste is clear; nonetheless, it is the most recent Commission precedent, and it deals directly with the context of the California ISO and a Participating TO's TRR. Thus it is completely appropriate that the Partial ID use Opinion 466's guidance in ruling on the issues here.

⁶ SWP also indicated at the July 16 Oral Argument that one reason to keep its issue in the case was that the Commission had yet to rule on Judge Young's decision. Tr. 167.

⁷ In fact, the ALJ stated as much on the record at the October 7 oral argument: "Opinion 466 is in fact the Commission guidance that I was looking for and that I alluded to at the July 16, 2003 prehearing conference." Tr. 243:8-11.

SMD NOPR⁸

The ALJ is absolutely correct to base her findings on recent relevant Commission precedent such as Opinion No. 466, rather than on a *proposed* rulemaking that has been overtaken by subsequent events, including the Commission's own April 28, 2003 White Paper. To do so was to rely on *actual* Commission guidance rather than *potential* Commission guidance, and no further justification can be required.

Order No. 2003⁹

The ISO does not agree with SWP's characterization of Order No. 2003 as being somehow in conflict with the result reached by the Partial ID. It is important to recognize that the terms of Order No. 2003 allow for flexibility regarding the pricing policy that each ISO or RTO chooses to adopt. Order No. 2003 at P 698. Certainly nothing in the language of Order 2003 conflicts with the pricing policy the ISO has chosen to adopt, and that has been found just and reasonable in Opinion No. 466. Therefore, even if the Partial ID had relied on Order No. 2003 to reach its conclusions, no different result would have been reached.

Nonetheless, the ALJ is justified in basing her decision on Order No. 466, as the guidance presented in that opinion was directly on point, and was the specific guidance the absence of which led to SWP's issues remaining in the proceeding as long as they did, as discussed above.

⁸ *Remedying Undue Discrimination Through Open Access Transmission Service and Standard Electricity Market Design* (July 31, 2002), Docket No. RM01-12-000, FERC Stats. & Regs., Regs. Preambles 32,563 (2002).

⁹ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003 (July 24, 2003), Docket No. RM02-1-000, FERC Stats. & Regs., Regs. Preambles ¶ 31,146 (2003) ("Order No. 2003").

B. The Partial ID Correctly Found that the Costs of Facilities Turned Over to the ISO's Operational Control Should be Included ISO's Access Charges.

CPUC excepts to the Partial ID's determination that "the cost of any facilities turned over to the ISO's Operational Control should be included in the ISO's Tariff." As the Commission recently found in Opinion No. 466, "If control was turned over, the facilities should be included in [PG&E's Transmission Revenue Requirement]. Opinion No. 466 at P 13. Since the ISO's Access Charges are designed to recover the Participating TOs' TRRs, it is eminently reasonable that the costs of facilities turned over to ISO Operational Control should be included in the ISO's Access Charges. Indeed, in light of this direct recent precedent, the ALJ could not have found otherwise.

C. The Partial ID Comports with the Just and Reasonable Standard of Section 205 of the Federal Power Act

SWP criticizes the Partial ID for failing to make a specific finding that the ISO's proposed Tariff language is just and reasonable. SWP at 15. What SWP fails to recognize, however, is that Opinion No. 466 found that including the costs of facilities turned over to ISO Operational Control in the Participating TO's TRR under the *previous* Tariff language, and not that proposed in Amendment No. 27. The change in the tariff proposed in this proceeding, while certainly presenting no conflict with the result in Opinion No. 466, is unnecessary to a finding that these costs should be included in the TRRs. That being the case, the result of the Partial ID does not rely on whether the new language is just and reasonable.

VI. CONCLUSION

WHEREFORE, for the reasons discussed above, the Commission should reject the exceptions of the parties described above, and affirm the findings of the Partial Initial Decision.

Respectfully Submitted,

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Dated: December 10, 2003

ATTACHMENT A

Applications for Participating Transmission Owner Status

Applications for Participating Transmission Owner (Participating TO) status with the California Independent System Operator (ISO) are in accordance with Section 2.2 of the Transmission Control Agreement (TCA). The TCA is executed by all Participating TOs and currently has four signatories, the ISO, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company. All amendments to the TCA are made either by (1) mutual agreement of all Parties, subject to Federal Energy Regulatory Commission (FERC) approval; (2) through the ISO ADR process; or (3) upon issuance of a FERC order. While the procedures and criteria in the TCA and the ISO Tariff are summarized in this document, this document does not amend, supplement or supplant the TCA or the ISO Tariff and the applicant is responsible with familiarizing itself with the terms of the TCA and of the ISO Tariff, including the ISO Protocols. The applicant should also be aware that the terms of the ISO Tariff are subject to change, upon application to and approval by the FERC. Nothing in this document will limit the applicability of amendments to the TCA or the ISO Tariff, even if the document is not revised to reflect such amendments.

Notice of Intent

Section 3.1.1 of the ISO Tariff requires that any entity desiring to become a Participating TO must declare its intent in writing to the ISO by January 1 (if it desires to become a Participating TO on July 1 of that same year) or July 1 (if it desires to become a Participating TO on January 1 of the following year). The application process discussed below may follow the notice of intent.

Application Procedures

All applications shall be accompanied by:

- (i) a description of the transmission lines and associated facilities that the applicant intends to place under the ISO's Operational Control and a one-line diagram of the facilities;
- (ii) in relation to any such transmission lines and associated facilities that the applicant does not own, a copy of each document setting out the applicant's Entitlements¹ to such lines and facilities and a summary matrix in the format provided in Appendix A;
- (iii) a statement of any Encumbrances² and a summary matrix in the

¹ An Entitlement, as defined in the ISO Tariff, is a right of the Participating TO obtained through contract or other means to use another entity's transmission facilities for the transmission of Energy. Other capitalized terms used in this document are also defined in Appendix A of the ISO Tariff.

² An Encumbrance, as defined in the ISO Tariff, is a legal restriction or covenant binding on a Participating TO that affects the operation of any transmission lines or associated facilities and which the ISO needs to take into account in exercising Operational Control over such transmission lines or associated facilities if the Participating TO is not to risk incurring significant liability. Encumbrances include Existing Contracts and may include: (1) other legal restrictions or covenants meeting the definition of Encumbrance and

format provided in Appendix B to which any of the transmission lines and associated facilities to be placed under the ISO's Operational Control are subject, together with any documents creating such Encumbrances and any dispatch protocols to give effect to them, as the ISO may require;

- (iv) a statement that the applicant intends to place under the ISO's Operational Control all of the transmission lines and associated facilities that it owns or, subject to the treatment of Existing Contracts under Sections 2.4.3 and 2.4.4 of the ISO Tariff, to which it has Entitlements and if such transmission lines and associated facilities do not include all of the lines and associated facilities owned by the applicant or to which it has Entitlements, the applicant's reasons for believing that certain lines and facilities do not form part of the applicant's transmission network;³
- (v) a statement of any Local Reliability Criteria⁴ to be included as part of the Applicable Reliability Criteria⁵;
- (vi) a description of the applicant's current maintenance practices;
- (vii) a list of any temporary waivers that the applicant wishes the ISO to grant because applicant does not meet the Applicable Reliability Criteria and the period for which it requires them;
- (viii) a copy of the applicant's proposed Transmission Owner (TO) Tariff, if any;
- (ix) a completed TRR Data Request form outlining the costs for the transmission lines and associated facilities applicant is proposing to turn over to the ISO (Additional information is provided in Attachment C) or notice that the applicant will be filing its TRR at FERC and such TRR will be included in the ISO's Access Charge

arising under other arrangements entered into before the ISO Operations Date (March 31, 1998), if any; and (2) legal restrictions or covenants meeting the definition of Encumbrance and arising under a contract or other arrangement entered into after the ISO Operations Date. Existing Contracts are defined as contracts which grant transmission service rights in existence on the ISO Operations Date (including any contracts entered into pursuant to such contracts) as may be amended in accordance with their terms or by agreement between the parties thereto from time to time.

- ³ Transmission lines and associated facilities will be deemed not to form part of a Participating TO's transmission network if they meet any of the following descriptions:
- 1) they are directly assignable radial lines and associated facilities interconnecting generation to the grid (other than those facilities which may be identified from time to time interconnecting ISO Controlled Grid Critical Protective systems or Generators contracted to provide Black Start or Voltage Support) ("generation leads" or "generation tie lines");
 - 2) they are lines and associated facilities classified as "local distribution" facilities in accordance with FERC's applicable technical and functional test; or
 - 3) they are other facilities excluded consistent with FERC established criteria for determining facilities subject to ISO Operational Control.

⁴ Reliability criteria established at the ISO Operations Date, unique to the transmission system of each Participating TO.

⁵ The reliability standards established by NERC, WSCC, and Local Reliability Criteria as amended from time to time, including any requirements of the NRC.

- when it has been accepted by the Commission;
- (x) address and contact names to which notices may be sent;
 - (xi) any other information that the ISO may reasonably require in order to evaluate the applicant's ability to comply with its obligations as a Participating TO;
 - (xii) details of the applicant's Settlement Account;
 - (xiii) MWh demand per month for the test period (1 year); and
 - (xiv) instructions on how to implement Encumbrances and Entitlements, if available, if the instructions are not readily available then applicant will work with the ISO to provide the instructions prior to the effective date.

Notice of Application

The ISO shall require the applicant to deliver to each existing Participating TO a copy of each application and each amendment of the application that may be made by the applicant, together with all supporting documentation and to provide the public with reasonable details of its application and each amendment through the ISO Home Page. The ISO shall not grant an application for Participating TO status until it has given each other Party and the public sixty (60) days to comment on the original application and thirty (30) days to comment on each amendment the applicant may make to its application.

Designation of Transmission Facilities

Except for facilities described above, all transmission facilities that a applicant either owns or to which it has an Entitlement that is represented by a Converted Right shall be included in the application and placed under the Operational Control of the ISO. Subject to some conditions, the cost of all such facilities shall be recovered in the ISO's Access Charge. Each applicant must designate its transmission facilities, and provide supporting documentation for such designation, in the TCA.

I. Criteria for Distinguishing Transmission and Distribution Facilities

As stated in Section 3.1 of the ISO Tariff, the general framework specified in FERC's 7-point test, as set forth in Order 888, shall be used to distinguish a Participating TO's Distribution System from its transmission facilities. A Participating TO may use additional criteria as long as such criteria are consistent with the FERC's 7-point test and are fully explained and documented. The ISO reserves the right to supplement the FERC's 7-point test, on a case-by-case basis.

The FERC's 7-point test to distinguish local distribution facilities from transmission facilities applies the following criteria to identify local distribution facilities:

- 1) Local distribution facilities are normally in close proximity to retail customers.
- 2) Local distribution facilities are primarily radial in character.

- 3) Power flows into local distribution systems; it rarely, if ever, flows out.
- 4) When power enters a local distribution system, it is not reconsigned or transported on to some other market.
- 5) Power entering a local distribution system is consumed in a comparatively restricted geographical area.
- 6) Meters are based at the transmission/local distribution interface to measure flows into the local distribution system.
- 7) Local distribution systems will be of reduced voltage.

II. Criteria for Distinguishing Transmission and Generation Facilities

An applicant shall identify all of its Generation-Tie Lines. The costs associated with such facilities shall be excluded from the portion of a Participating TO's TRR that is recovered through the Access Charge.⁶ Generation-Tie Lines are facilities that are primarily radial in character and used exclusively for the purpose of transporting energy from a power plant to the point of interconnection with the transmission network.

Generation-Tie Lines include:

- 1) the lead line from the generator to the point of interconnection with the ISO Controlled Grid;
- 2) station equipment used as Generation Step-Up Transformers (GSUs), which convert generation to transmission-level voltage;
- 3) other interconnection facilities properly assigned to a specific generator under the FERC's transmission pricing policy; and
- 4) Entitlements to Generation tie lines owned by others.

Generation-Tie Lines also include tie lines to third-party generators, and Generation lead lines and GSUs that a Participating TO retains ownership of or an Entitlement to after the divestiture of one or more of its generating plants.

Determination of Eligibility

Subject to challenges to eligibility discussed below, the ISO shall permit an applicant who has submitted an application to become a Participating TO if, after considering all comments received from other Parties and third parties, the ISO determines that:

- i. the applicant's transmission lines and associated facilities that are to be placed under the ISO's Operational Control can be incorporated into the ISO Controlled Grid without any material adverse impact on its reliability;

⁶ Excluding the costs of Generation-Tie Line facilities from the Access Charge is consistent with federal policy. Under the FERC's long established ratemaking practices, the costs of interconnection facilities are assigned directly to those customers who benefit from such facilities. For example, in its Opinion No. 432 issued in Docket No. ER95-854 (85 FERC 61,274) the FERC ruled that the costs of GSU transformers should be assigned directly to the generator to which it is connected.

- ii. incorporating such transmission lines and associated facilities into the ISO Controlled Grid will not put the ISO in breach of Applicable Reliability Criteria and its obligations as a member of WSCC;
- iii. objections by the ISO shall have been withdrawn or determined by the ISO Governing Board to be invalid;
- iv. all applicable regulatory approvals of the applicant's TO Tariff have been obtained; and
- v. the applicant is capable of performing its obligations under the TCA.

Objections relating solely to a portion of an applicant's Facilities shall not prevent the applicant from becoming a Participating TO while the objections are being resolved.

Challenges to Eligibility

The ISO shall permit an applicant to become a Participating TO pending the outcome of ISO ADR Procedures challenging whether or not the applicant satisfies the criteria discussed in Determination of Eligibility if the ISO determines that the applicant satisfies those criteria unless otherwise ordered by FERC.

Becoming a Participating TO

An applicant whose application has been accepted shall become a Participating TO with effect from the date when the later of: (i) its TO Tariff takes effect, if applicable, either as a result of acceptance by FERC or by action of a Local Regulatory Authority, whichever is appropriate; or (ii) the TCA takes effect. The TO Tariff of each Participating TO shall be posted on the ISO Home Page.

Procedures and Charges

The ISO shall adopt fair and non-discriminatory procedures for processing applications. The ISO shall publish its procedures for processing applications on the ISO Home Page and shall furnish a copy of such procedures to FERC. Applicants shall pay all costs incurred by the ISO in processing their applications. The ISO will furnish applicants, upon request, an itemized bill for the costs of processing their application.

ISO Grid Planning Criteria

The ISO Governing Board has adopted specific planning criteria for the ISO Controlled Grid that is available upon request.

Additional Information Required Prior to Operation

Once an applicant has become a Participating TO, and prior to the effective date, the ISO need the following additional information:

- i. all relevant operating procedures, agreements and instructions;
- ii. a General Electric compatible load flow database;
- iii. a database to populate the ISO's Transmission Register, a spreadsheet will be provided;

- iv. a listing of all ISO Controlled Grid critical protective systems;
- v. a written set of maintenance practices that adequately describe the process for inspection, maintenance and record keeping of transmission facilities;
- vi. a set of outage data on all lines under the ISO Operational Control for the last 10 years;
- vii. other documents necessary for system operations (i.e. fire maps, etc.); and
- viii. the appropriate phone numbers and personnel roster for the operations single point of contact with the ISO.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in the above-captioned proceeding, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Folsom, CA, on this 10th of December, 2003.

_____/s/ **Anthony Ivancovich** _____
Anthony Ivancovich