



September 29, 2023

The Honorable Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: California Independent System Operator Corporation  
Docket No. ER23-\_\_\_\_-000**

**Notice of Termination of Split Resource Participation  
Agreement with Calpine and Sutter**

Dear Secretary Bose:

The California Independent System Operator Corporation (CAISO) files for Commission acceptance a notice of termination of the Split Resource Participation Agreement (Agreement)<sup>1</sup> between the CAISO and CCFC Sutter Energy, LLC (Calpine), which sets forth the terms under which Calpine split one of its resources for the purposes of participation in the CAISO markets.<sup>2</sup> The CAISO requests this notice of termination effective as of November 29, 2023.

## **I. Background and Reasons for Termination**

Pursuant to the Agreement, Calpine agreed to certain rules and procedures so that the Sutter Energy Center (Sutter) could become a split resource, with a portion of Sutter pseudo-tied to the CAISO balancing authority area and the remainder available within the host balancing authority area.<sup>3</sup> Calpine and the CAISO executed the Agreement in 2020.

As anticipated by the parties, the CAISO has subsequently included in its tariff rules and procedures substantially similar to those provided in the

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<sup>1</sup> The Agreement is designated as Service Agreement No. 6139 under the CAISO Tariff. See *Calif. Independent System Operator Corp.*, 171 FERC ¶ 61,262, p. 22 (2020) (noting that the termination of the Agreement once the Commission approves substantially similar rules in the CAISO Tariff for shared pseudo-tie resource participation).

<sup>2</sup> The CAISO submits this filing pursuant to Section 205 of the Federal Power Act, 16 U.S.C. § 824d, and Section 35.15 of the Commission's regulations, 18 C.F.R. § 35.15. Capitalized terms not otherwise defined in this filing have the meanings set forth in the CAISO Tariff.

<sup>3</sup> See the Agreement.

Agreement.<sup>4</sup> Because the CAISO tariff now contains the rules and procedures associated with shared pseudo-tie resources, Calpine will be subject to the rules governing the *pro forma* Pseudo-Tie Participating Generator Agreement with respect to Sutter, and Calpine has developed an allocation protocol for Sutter consistent with the CAISO tariff, the Agreement should be terminated. The CAISO and Calpine agree that the Agreement should be terminated. The CAISO submits this notice of termination<sup>5</sup> pursuant to the provisions of the Agreement.

## II. Effective Date

The CAISO respectfully requests that the Commission accept this notice of termination effective as of November 29, 2023.

## III. Communications

Communications and correspondence regarding this filing should be addressed to the following individuals:

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## IV. Service and Posting

The CAISO has served this filing on Calpine and has posted it on the CAISO website.

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<sup>4</sup> See CAISO Tariff, Appendix N, Section 3 (setting forth the rules and procedures for shared pseudo-tie resources); see also *Calif. Independent System Operator Corp.*, 174 FERC ¶ 61,059 (2021) (accepting the rules and procedures for shared pseudo-tie resources).

<sup>5</sup> Included as Attachment A with this filing.

**V. Conclusion**

For the reasons stated above, the CAISO requests that the Commission accept this notice of termination of the Agreement with Calpine effective November 29, 2023.

Respectfully submitted,

/s/ John Anders

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