



## **II. BACKGROUND**

On March 16, 1999, South Bay tendered for filing pursuant to Section 205 of the Federal Power Act (16 U.S.C. § 824d), an amendment to the jurisdictional Reliability Must-Run Agreement applicable to the South Bay Power Plant (“South Bay RMR Agreement”). The South Bay RMR Agreement was originally filed in Docket No. ER98-496-000 by SDG&E on October 31, 1997, and subsequently amended on March 11, 1998. Pursuant to its filing, South Bay proposes to adopt the South Bay RMR Agreement as its own, subject to such revisions and/or amendments that it may propose (subject to certain contractual limitations) following SDG&E’s assignment of its interest in the South Bay RMR Agreement and South Bay’s assumption of control over the South Bay Power Plant. South Bay has requested that the amendment become effective as of the date it acquires the plant, which will be on or about April 1, 1999.

## **III. BASIS FOR MOTION TO INTERVENE**

The ISO is a non-profit public benefit corporation organized under the laws of the State of California and responsible for the reliable operation of a grid comprising the transmission systems of SDG&E, Southern California Edison Company, and Pacific Gas and Electric Company, as well as for the coordination of the competitive electricity market in California.

At issue in this proceeding is an RMR Agreement to which the ISO is a party and that could affect the reliability of the ISO Controlled Grid. The ISO therefore has an interest in this proceeding that cannot be represented by any other party. Accordingly, the ISO requests that it be permitted to intervene herein with full rights of a party.

In addition, the ISO notes that it has received from South Bay a letter indicating that South Bay is engaging in the settlement negotiations<sup>2</sup> in good faith and intends to implement the settlement upon the agreement's completion. The ISO attaches South Bay's letter in Attachment A to this motion.

The ISO raises no substantial issues at the present time but reserves the right to do so in any further aspects of the proceeding ordered by the Commission.

#### **IV. BASIS FOR MOTION TO CONSOLIDATE**

The ISO moves to consolidate this proceeding with the ongoing proceeding in San Diego Gas & Electric, Docket Nos. ER98-496-000, et al. Consolidation is appropriate as the proceeding in Docket Nos. ER98-496-000, et al., has been established to resolve all outstanding issues regarding RMR Agreements. The ISO submits that in light of the related nature of the two proceedings, SDG&E's assignment of the South Bay RMR Agreement should be subject to the resolution of Docket Nos. ER98-496-000, et al.

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2 See supra n.1.

**V. CONCLUSION**

Wherefore, for the foregoing reasons, the ISO respectfully requests (1) that the Commission permit it to intervene, and that it be accorded full party status in this proceeding; and (2) that the Commission consolidate this proceeding with Docket Nos. ER98-496-000, et al.

Respectfully submitted,

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Date: March 26, 1999

## **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 this proceeding.

Dated at Washington, DC, on this 26<sup>th</sup> day of March, 1999.

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Sara C. Weinberg

March 26, 1999

The Honorable David P. Boergers  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: **San Diego Gas & Electric Company**  
**Docket No. ER99-2170-000**

Dear Secretary Boergers:

Enclosed for filing are one original and 14 copies of the Motion to Intervene and Motion to Consolidate of the California Independent System Operator Corporation in the above-referenced proceeding. An additional copy of the filing is also enclosed. Please stamp the additional copy with the date and time filed and return it to the messenger.

Thank you for your assistance in this matter.

Respectfully submitted,

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Attachment A