

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

California Electricity Oversight Board)))	Docket No. EL99-75-000
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**MOTION FOR EXTENSION OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION**

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), 18 C.F.R. § 385.212, the California Independent System Operator Corporation¹ ("ISO") hereby respectfully moves for an extension of time to comply with the Commission's August 5, 1999 Order in the above-captioned proceeding. As explained in greater detail below, the ISO intends to submit Bylaw changes that comply fully with the Commission's August 5, 1999 Order. The request for an extension is necessitated by: (1) the rejection, by four stakeholder classes, of certain Bylaw changes unrelated to the Commission's August 5, 1999 Order, and (2) the need to comply with the notice periods for stakeholder approval of Bylaw amendments acceptable to the objecting classes.

DISCUSSION

On August 5, 1999, the Commission granted the request of the California Electricity Oversight Board ("CEOB") for a Declaratory Order finding that the proposed

¹ Capitalized terms not otherwise defined herein are defined in the Master Definitions Supplement, ISO Tariff Appendix A, as filed August 15, 1997, and subsequently revised.

ISO governance structure set forth in California Senate Bill 96 ("SB 96") was appropriate until such time as another state becomes a "participating state." *California Electricity Oversight Board*, 88 FERC ¶ 61,172 at 61,573 (1999).² The Commission also ordered the ISO to file Bylaw amendments within 60 days of enactment of SB 96.

On August 26, 1999, in open session following public and stakeholder comment, the ISO Governing Board approved Bylaw amendments consistent with the Commission's August 5, 1999 Order and SB 96.³ However, in addition to the changes required by SB 96, the Governing Board approved other Bylaw changes for those classes not subject to approval by the CEOB. The changes were intended to ensure symmetrical election treatment for the classes that were not subject to CEOB confirmation. During the process of obtaining individual class approval, four stakeholder classes voted to reject the proposed changes.⁴

At its November meeting, the ISO Governing Board directed ISO Management to develop revised election procedure Bylaw amendments that would be acceptable to the objecting classes, while still complying with the Commission's Orders and SB 96. Management has developed revised election procedures; however, due to the time periods for notice and stakeholder approval, the ISO cannot submit amendments that

² The background of Commission proceedings concerning ISO Bylaws is described in the August 5, 1999 Order. The ISO has also described this background in previous filings submitted to the Commission, including its Motion to Intervene and Comments filed in the above-captioned proceeding on July 22, 1999 and the ISO's July 8, 1999 filing in Docket Nos. EC96-19-047 and ER96-1663-049.

³ In approving the changes to the Bylaws in August, the Governing Board was anticipating the enactment of SB 96. SB 96 was subsequently enacted into law on September 27, 1999.

⁴ Under the ISO's Bylaws, changes to the election procedures for each class - including the changes not required by SB 96 and Commission Orders - are effective against that class only if two-thirds of the registered entities in the class approve the changes.

are effective by the November 26, 1999, compliance date established by the Commission.

The current Bylaws require a minimum of sixty days for notice of the Bylaw changes and stakeholder approval. The ISO therefore requests an extension until January 31, 2000, to comply with the notice periods in the Bylaws and to prepare the amendments for submittal to the Commission.⁵ The ISO notes that the ISO Governing Board took all actions within its power to comply with the Commission's August 5, 1999 Order, and that the narrow issue currently necessitating this request for an extension does not change the ISO's intention to comply with that Order.

⁵ Under the Bylaws, the Board must provide 30 days' notice before considering Bylaw amendments. The ISO provided notice of the proposed new revisions on November 18, 1999. The ISO Governing Board will meet on December 22, 1999, to consider the amendments. The affected classes must then be given a minimum of 30 days to approve or reject the amendments.

CONCLUSION

Based on the foregoing, the ISO respectfully requests that the Commission extend the time for compliance with the Commission's August 5, 1999 Order in this docket to January 31, 2000.

Respectfully submitted,

Roger E. Smith
Senior Regulatory Counsel
Richard L. Jacobs
Senior Corporate Counsel
California Independent System
Operator Corporation
151 Blue Ravine Road
Folsom, CA 95630
(916) 351-4400

Edward Berlin
Kenneth G. Jaffe
Michael Ward
Sean A. Atkins
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007
Tel: (202) 424-7500
Fax: (202) 424-7643

Counsel for the California Independent
System Operator Corporation

Date: November 24, 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 24th day of November, 1999.

Sean A. Atkins

November 24, 1999

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

Re: **California Electricity Oversight Board**
Docket No. EL99-75-000

Dear Secretary Boergers:

Enclosed for filing are one original and 14 copies of the Motion for Extension of the California Independent System Operator Corporation in the above-referenced proceeding. Two additional copies of the filing are also enclosed. Please stamp the two additional copies with the date and time filed and return them to the messenger.

Thank you for your assistance in this matter.

Respectfully submitted,

Sean A. Atkins
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW, Suite 300
Washington, DC 20007
Tel: (202) 424-7500
Fax: (202) 424-7643

Attorney for the California
Independent System Operator Corporation