

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

NEO California Power LLC

)

Docket No. EL02-18-000
EL00-95-000
EL00-98-000

**MOTION FOR EXTENSION OF TIME
FOR SETTling PARTIES' TO FILE REPLY COMMENTS
IN SUPPORT OF OFFER OF SETTLEMENT**

Pursuant to Rules 212, 602(f)(2) and 2008 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.602(f)(2) and 385.2008, the California Independent System Operator Corporation ("CAISO"), on behalf of itself and the other settling parties, California Power Holdings, LLC ("CPH"), Harbor Cogeneration Company ("Harbor"), and MMC Energy North America, LLC ("MMC") (collectively, "Settling Parties") respectfully submits this motion for an extension of time, of 7 days, until April 10, 2009, to file Reply Comments in support of the Offer of Settlement, submitted March 4, 2009. The Settling Parties further request that the Commission provide for expedited consideration of this motion. In support hereof, the Settling Parties state:

On March 4, 2009, the Settling Parties submitted an Offer of Settlement in the above-captioned proceedings that, if accepted, would resolve all issues set for hearing and settlement judge procedures by the Commission in its May 2003 order on the complaint filed in this proceeding.¹

¹ See *NEO California Power LLC*, 103 FERC ¶ 61,206 (2003).

On March 24, 2009, the California Parties² and the California Power Exchange (CalPX) submitted comments on the Offer of Settlement, raising various concerns they have with the settlement. Since receiving those comments, the Settling Parties have been discussing each of the issues raised with counsel for the California Parties and the CalPX in an effort to provide additional clarification and to seek resolution of their concerns. As a result of these efforts, the Settling Parties are optimistic that some, if not all, the issues raised by the California Parties and CalPX may be resolved through agreement of the parties. An extension of time beyond the current reply comment date (April 3, 2009), however, is necessary to allow the parties to continue these discussions with the hope that any resolution can be reflected in the reply comments filed by the Settling Parties.

The Settling Parties discussed the extension with counsel for the CalPX and the California Parties, who have indicated that they do not object to the request.

Accordingly, the Settling Parties respectfully request that the Commission act on this request as soon as possible, and grant the extension of time for good cause shown, such that reply comments are due on April 10, 2009.

Dated: April 1, 2009

Respectfully submitted on it own behalf and
on behalf of the Settling Parties,

/s/Roger E. Collanton

Daniel J. Shonkwiler
Roger E. Collanton
California ISO
151 Blue Ravine Road
Folsom, CA 95630

*Counsel to the California Independent
System Operator Corporation*

² The California Parties are Pacific Gas and Electric Company (“PG&E”), Southern California Edison Company (“SCE”), the California Public Utilities Commission, and State *ex rel.* Edmund G. Brown Jr., Attorney General.

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of April, 2009 served this Motion for Extension of Time for Settling Parties' to file Reply Comments in Support of Offer of Settlement in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Anna Pascuzzo

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