

160 FERC ¶ 62,161
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

California Independent System
Operator Corporation
Docket No. ER17-2072-000

Issued: August 22, 2017

California Independent System
Operator Corporation
250 Outcropping Way
Folsom, CA 95630

Attention: Roger E. Collanton
General Counsel

Reference: Order Granting Uncontested Waiver

Dear Mr. Collanton:

On July 10, 2017, the California Independent System Operator Corporation (CAISO) submitted a request for waiver of section 43A.6.2 of its tariff, which requires CAISO to post a capacity procurement mechanism (CPM) designation report on its website within 30 days of procuring a CPM resource, or 10 days after the end of the month, whichever is earlier. In support of its request for waiver, CAISO states that it issued a market notice for exceptional dispatch CPM capacity on July 20, 2017, for a duration of 30 days to address a system reliability need. CAISO states that it requires an additional two weeks beyond the July 10, 2017 due date (i.e., through July 24, 2017) to post the report and ensure that the report's contents fully satisfy the informational requirements of the tariff. CAISO further states that its waiver request will not result in undesirable consequences and will provide transparency to market participants interested in the procurement of CPM capacity.

CAISO's filing was noticed on July 11, 2017, with interventions and protests due on or before July 31, 2017. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,¹ any notices of intervention and timely filed, unopposed motions to intervene serve to make the filer a party to this proceeding. No protests were filed, and

¹ 18 C.F.R. § 385.214 (2017).

the request for waiver is therefore uncontested.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation – West, Office of Energy Market Regulation, in the Commission’s February 3, 2017 Order Delegating Further Authority to Staff in Absence of Quorum,² CAISO’s uncontested request for waiver is granted. The Commission has granted waiver of tariff provisions where: (1) the applicant acted in good faith; (2) the waiver is of limited scope; (3) the waiver addresses a concrete problem; and (4) the waiver does not have undesirable consequences, such as harming third parties.³ Those criteria are satisfied here.

The grant of waiver herein shall not be construed as constituting approval of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in your filing; nor shall it be deemed as recognition of any claimed contractual right or obligation associated therewith; and such grant is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against CAISO.

Consistent with Rule 1902 of the Commission’s Rules of Practice and Procedure,⁴ requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order.⁵

Sincerely,

Steve P. Rodgers, Director
Division of Electric Power
Regulation – West

² *Agency Operations in the Absence of a Quorum*, 158 FERC ¶ 61,135 (2017).

³ *See, e.g., Midcontinent Indep. Sys. Operator, Inc.*, 154 FERC ¶ 61,059, at P 14 (2016); *Calpine Energy Serv., Inc.*, 154 FERC ¶ 61,082, at P 12 (2016); *New York Power Auth.*, 152 FERC ¶ 61,058, at P 22 (2015).

⁴ 18 C.F.R. § 385.1902 (2017).

⁵ 18 C.F.R. § 385.713 (2017).