

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

**California Independent System
Operator Corporation**)
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Docket No. ER98-3760-000

**California Independent System
Operator Corporation**)
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**Docket Nos. EC96-19-000 and
ER96-1663-000**

[Not Consolidated]

JOINT STATEMENT OF ISSUES

I. Introduction

In accordance with the Commission’s April 28, 1999 Order, 87 FERC ¶ 61,102, the California Independent System Operator Corporation (“ISO”) hereby submits this Joint Statement of Issues to be litigated in this proceeding. As provided in the Commission’s order, this Joint Statement of Issues serves two purposes:

- it identifies: (1) the proponents, those who are advocating a change in the status quo, for each issue,¹ (2) the originating docket

¹ The identification of a proponent does not preclude other participants from submitting briefs on any of the issues reflected in this Joint Statement of Issues.

associated with the issue, and (3) the Unresolved Issue matrix number;² and

- it will serve as the organizational format for the briefs.³

II. Statement of Issues

A. ANCILLARY SERVICES

1. Does the ISO, and in particular sections 2.5.3.2 and 2.5.20.1 of the ISO Tariff, fail to appropriately credit scheduling coordinators for operating reserves when they purchase firm energy from inside of the ISO Control Area, and is the ISO's failure to provide such credits consistent with the Commission's prior directives in this matter? [Issue No. 73, Docket Nos. EC96-19-008 and EC96-1663-009. Proponents - Sacramento Municipal Utility District ("SMUD"), Enron Power Marketing, Inc. ("Enron"), and Western Power Trading Forum ("WPTF")(collectively and on behalf of certain of its individual members)]
2. Does section 2.5.3.3 (e) of the ISO Tariff give the ISO undue discretion to modify its procedures without regard to its Ancillary Services Requirements Protocol, and give the ISO an unfair purchasing advantage over others for Replacement Reserves? [Issue No. 585, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy Power Marketing, Inc. ("Dynegy")⁴]

² California Independent System Operator Corporation, 87 FERC at 61,424. The ISO notes that the listing of the proponents does not indicate that these entities advocate the same position with respect to the issue, but only that these entities are expected to file initial briefs on the matter.

³ Id. The characterization of the issues in this document are for identification purposes only. The complete characterization of the disputed matters will be provided by the parties in their respective briefs.

⁴ Dynegy previously operated under the name Electric Clearinghouse, Inc. The Commission accepted this name change by order dated September 22, 1999 in Docket No. ER99-4160-000.

3. With respect to Voltage Support:
 - a. Does Ancillary Services Requirements Protocol (“ASRP”) section 7.3 need to be clarified? [Issue No. 96, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-008, and ER96-1663-009. Proponents - Dynegy and Cogeneration Association of California (“CAC”)]
 - b. With respect to ASRP 7.3 and section 2.5.3.4 of the ISO Tariff, are power factors for Participating Generators not operating under specified agreements improperly inconsistent with the power factors of section 2.5.3.4 and should ASRP 7.3 address Voltage Support requirements for Loads as does section 2.5.4.3? [Issue No. 326, Docket Nos. EC96-19-006, EC96-19-008, ER96-1663-007, and ER96-1663-009. Proponent - CAC]⁵
 - c. Should Participating Generators that do not meet minimum ISO Tariff criteria for Voltage Support be required to obtain Ancillary Services to make up their shortfall, and should Participating Generators that are called upon by the ISO to exceed minimum ISO Tariff Voltage Support criteria be compensated for so doing? [Issue No. 353, Docket Nos. EC96-19-003 and ER96-1663-003. Proponents - California Department of Water Resources (“DWR”) and CAC].
4. Has the ISO unreasonably precluded certain entities from providing competitive Black Start and Voltage Support Services to the ISO Grid and should the ISO Tariff (including sections 2.5.3.4 and ASRP 7.5.1) be revised to require competitive procurement of Black Start and Voltage Support Services? [Issue No. 189, Docket Nos. EC96-19-017 and ER96-1663-018, and Issue No. 319, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Cities of Anaheim, Colton, Riverside, Azusa and Banning, California (“Southern Cities”), DWR, and MWD]
5. Should section 5.6.2 of the Tariff be modified to remove the words System Resource? [Issue No. 283, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Bonneville Power Administration (“BPA”) and CAC]

⁵ MWD has indicated that if the ISO is willing to make the changes reflected in Attachment C of the March 11, 1999 Report on Unresolved Issues, then MWD need not be listed as a proponent for this issue. The ISO is willing to make the proposed changes.

6. Is the ISO's use of out-of-market purchases based on extra-tariff criteria as opposed to ancillary services and Supplemental Energy bids in price order, just and reasonable? [Issue No. 491, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and WPTF]

B. DISPATCH / CONGESTION MANAGEMENT / OVERGENERATION

1. Is the ISO properly managing Path 15?
 - a. Is the provision of the ISO Tariff that affords higher priority on congested pathways such as Path 15 to conditional firm service under existing contracts than such service had prior to the start of ISO operations anticompetitive or unduly discriminatory to new market entrants? [Issue No. 489, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and Coral Power, LLC ("Coral")]
 - b. Has the ISO improperly allowed PG&E to retain operational control over Path 15 in violation of its tariff? [Issue No. 488, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and Coral]
2. With respect to inter-zonal congestion management:
 - a. Has the ISO complied with the Commission's October 30, 1997 Order, 81 FERC ¶ 61,122 at 61,479, to make publicly available to Market Participants its Inter-zonal congestion management algorithm? Should the ISO have to make available to Scheduling Coordinators its congestion management software and transmission database, and is the ISO's refusal to provide this information to Scheduling Coordinators unjust and unreasonable? [Issue No. 537, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - City of Redding, California, City of Santa Clara, California, and the M-S-R Public Power Agency ("Cities / M-S-R") and Palo Alto, MWD, Enron, WPTF, and DWR]
 - b. Whether section 10.3 of the Scheduling Protocol ("SP") addressing Congestion Management and pricing is sufficiently detailed to provide Market Participants with adequate information to determine in advance, the cost of a particular schedule? [Issue No. 116, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-007, and ER96-1663-009. Proponent - Transmission Agency of Northern California ("TANC")]

- c. Whether adjustment bids left standing after the close of the Hour-Ahead market should be converted into supplemental energy bids? [Issue No. 461, Docket No. ER98-3760-000. Proponents - the Utility Reform Network and Utility Consumers' Action Network ("TURN / UCAN") and Southern Cities]
 - d. Whether the ISO has improperly restricted Adjustment Bids with respect to inter-Scheduling Coordinator trades? [Issue No. 398, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - TURN / UCAN]
 - e. Is the 3000-bus model adopted by the ISO for prices and decisions on inter-zonal access anticompetitive, unjust or unreasonable, or should the ISO adopt a simplified commercial 15-bus model, which treats all resources within a zone identically on a zonal basis? [Issue No. 298, Docket Nos. EC96-19-003 and ER96-1663-003. Proponents - Enron and WPTF]
3. With respect to intra-zonal congestion management:
- a. Has the ISO has properly complied with the Commission's October 30, 1997 Order at page 61,478, regarding the filing of specific practices and procedures it uses to manage Intra-Zonal Congestion, including an explanation of pricing and billing for Intra-Zonal Congestion? [Issue No. 535, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Cities / M-S-R and Palo Alto, MWD, and DWR]
 - b. Whether the ISO failed to properly implement the Commission's October 30, 1997 Order at 61,478 with respect to the deletion of sections 2.5.22.8, 7.2.1.4.2, and 7.3.2 of the ISO Tariff? [Issue No. 536, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Cities / M-S-R and Palo Alto]
 - c. Does Section 2.5.22.8 of the ISO Tariff give the ISO excessive authority in managing intra-zonal congestion by extending its control over the dispatch of non-participating generators? [Issue No. 530, Docket No. ER98-3760-000. Proponents - MWD, SMUD, and CAC]
4. With respect to Overgeneration:

- a. Does the ISO Tariff, particularly section 2.3.4, allow the ISO to order reductions for Overgeneration by entities that are operating in balance and/or did not cause the Overgeneration problem in an unjust, unreasonable, or discriminatory manner, and is section 2.3.4.4 of the ISO Tariff, which provides that the ISO can mitigate real time Overgeneration by requiring all Scheduling Coordinators to make pro rata cuts in their Generation or imports, contrary to the requirements in the Commission's October 30, 1997 Order that those who cause Overgeneration problems be responsible for alleviating those conditions and contrary to the Commission's directive to honor Existing Contracts? [Issue No. 213, Docket Nos. EC96-19-0021 and ER96-1663-022, and Issue Nos. 366, 472, and 505, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron, WPTF, Southern Cities, DWR, SMUD, CAC, and TANC]⁶
- b. Whether Section 10.2 of the Scheduling Protocol fails to comply with the October 30, 1997 Order by failing to adopt and implement procedures for allocating transmission capacity on a pro-rata basis for each Scheduling Coordinator when the ISO reduces a Scheduling Coordinator's Generation due to insufficient transmission capacity. [Issue No. 437, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - TANC]
- c. Are the changes in Amendment No. 6 to the ISO Tariff regarding Overgeneration management and giving native Load an implicit priority in Congestion Management inconsistent with prior Commission Orders (regarding, inter alia, Existing Contracts) or unduly discriminatory and otherwise unreasonable? [Issue Nos. 198, 199, and 266, Docket Nos. EC96-19-021 and EC96-1663-022. Proponents - Enron, WPTF, DWR, TANC, Turlock Irrigation District ("Turlock"), Cities / M-S-R, SMUD, and the California Power Exchange ("PX")]⁷

⁶ MWD has indicated that if the ISO is willing to make the changes reflected in Attachment C of the March 11, 1999 Report on Unresolved Issues, then Issue No. 505 need not be listed. The ISO is willing to make the proposed changes. However, CAC has requested that Issue No. 505 remain in the Joint Statement of Issues.

⁷ Additional topics to be addressed in this issue include in the issue: (1) whether the Overgeneration Management provisions in the ISO Tariff are discriminatory and inconsistent with the Commission's October 30, 1997 Order; (2) whether permitting reduction of generation by non-participating generators in "real time" is inconsistent with Commission orders or otherwise unreasonable;

5. With respect to the ISO's dispatch authority:
- a. Is section 5 of the ISO Tariff unduly discriminatory because it requires a PGA for schedulers of Ancillary Services from within the ISO Controlled Grid, but Amendment No. 10 does not require a PGA for generation provided from outside the ISO Control Area? [Issue No. 245, Docket Nos. EC96-19-035, ER96-1663-036. Proponent - Turlock]
 - b. Whether the ISO's authority over Market Participants in Sections 2.3.1.2.1, 2.3.1.2.2 and 2.3.4 of the ISO Tariff should be limited to emergency conditions under Market Participants' contracts or other arrangements? [Issue No. 228, Docket Nos. EC96-19-021 and ER96-1663-022 and Issue No. 443, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - TANC, Cities / M-S-R, and CAC]
 - c. Does the ISO unjustly and unreasonably exercise authority to control the operations of non-participating Generators, and should section 2.3.2.7 of the ISO Tariff be revised to added the word "Participating" before the word "Generators" to reflect the specific Generators to which this section should apply? In addition, should sections 5.1.3, 5.2.1, 5.2.3, 5.3, 5.4 and 5.7.3 of the ISO Tariff, which provide the ISO with authority over, and control of, all Generators, be revised to limit the ISO's authority to Participating Generators? [Issue Nos. 444 and 448, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - TANC, SMUD, and CAC]

(3) whether ISO Tariff Section 2.3.4.4 is unreasonable in setting the *pro rata* curtailment of Generation equal to the ratio of Scheduling Coordinator demand to total Demand within the ISO Control Area; (5) whether Existing Contract Demand should be excluded from the denominator to reflect the significant amount of municipal utility Demand "behind the meter" that is not included in the total Demand formally scheduled by Scheduling Coordinators with the ISO; (6) whether Overgeneration Management comports with the principle that each Scheduling Coordinator should be responsible for addressing its own Overgeneration; (7) whether the ISO Tariff should permit the ISO to compensate California entities for taking additional Energy to alleviate the Overgeneration; and (8) whether the denial of firm use of the transmission path by failing to follow precisely the ISO's Adjustment Bid format, and the priority given to Reliability Must-Run, Regulatory Must-Run, and Regulatory Must-Take Generation impinge on Existing Contract rights.

- d. Has the ISO improperly eliminated section 7.2.5.2.6 of the ISO Tariff? [Issue. No. 593, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
- e. Does section 7.2.5.2.7 unreasonably allow the ISO to curtail Generation and Demand of Non-Participating TOs using resources that are not bid into the ISO markets if Adjustment Bids do not alleviate Congestion on the Inter-Zonal interface? [Issue No. 254, Docket Nos. EC96-19-003 and ER96-1663-003. Proponent - SMUD]
- f. Is the ISO's ability to redispatch a Scheduling Coordinator's portfolio on an involuntary basis through out-of-market payments (under which the ISO pays only its real-time prices) punitive and confiscatory? [Issue No. 494, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and WPTF]
- g. With respect to section 10.2.8 of the Dispatch Protocol ("DP"), should the ISO be required to file reports notifying the Commission whenever the ISO calls a System Warning or Emergency and, if so, should such a report contain information regarding any out-of-market generators it was required to dispatch? [Issue No. 621, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
- h. Should the ISO be required to clarify in section 7.3.2 of the ISO Tariff, regarding the ISO's authority to redispatch a Scheduling Coordinator's resources, that it will operate in a manner consistent with section 2.3.2.3.1 of the ISO Tariff? [Issue No. 595, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
- i. Does DP 8.1.1 unreasonably permit the ISO to issue a dispatch order for a generator without the generator's having submitted a bid that has been accepted and made final, or until such time as the ISO has otherwise exhausted all market mechanisms provided to it under the ISO Tariff, and thus must call a System Emergency? [Issue No. 611, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Dynegy and CAC]
- j. Is the ISO's dispatch authority under DP 9.1.1 and 9.5 overbroad? Should DP 9.1.1 be modified to clarify that this provision is subject to other applicable Tariff requirements respecting Existing Contracts, and should DP 9.5 be modified to limit the ISO's authority to dispatching units in

- the event of an actual System Emergency? [Issue No. 335, Docket Nos EC96-19-006 and ER96-1663-007 and EC96-19-008 and ER96-1663-009, and Issue No. 617, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - MWD, Dynegy, and CAC]
- k. Does DP 9.4.1 provide the ISO too much discretion to shut down a generating unit. [Issue No. 618, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Dynegy and CAC]
6. With respect to the ISO's communications with Generators:
- a. Whether the ISO properly complied with the Commission's October 30 Order with respect to its modifications to sections 2.5.6.2 and 2.5.22.10 of the ISO Tariff. [Issue No. 541, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - CAC]
- b. Whether section 2.5.6.2 improperly permits the ISO to determine unilaterally which method of communication with the generator is appropriate. [Issue No. 586, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Dynegy and CAC]
- c. With respect to DP 3.4.4:
- (1). Should the ISO be prohibited from imposing penalties, fines or sanctions as long as a generator is abiding by the terms of its contract with the ISO?
- (2). If the ISO bypasses the Scheduling Coordinator and communicates directly with the generator, should neither the Scheduling Coordinator nor the generator be subject to penalties? [Issue No. 607, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
7. Should information regarding price be included in the data provided to ISO dispatchers, pursuant to sections DP 8.6.3(e) and SP 11.2? [Issue Nos. 615 and 629, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
8. Has the ISO unreasonably delayed implementing the direction from the October 30, 1997 Order that the ISO compute for each Advisory and Final Schedule in the Day-Ahead and Hour-Ahead markets the

dispatch and Usage Charges that would have resulted if the ISO had been allowed to resolve Congestion without the restriction that Scheduling Coordinators keep their schedules balanced? [Issue No. 397, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - TURN / UCAN]

9. Is the failure of the ISO to include Ancillary Services in its Congestion Management program unjust and unreasonable? [Issue No. 591, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
10. Has the ISO complied with the Commission's October 30, 1997 order requiring the filing of generation unit availability standards, or whether the ISO should be ordered "to file availability standards with the Commission as part of the mitigation proposal as soon as practicable," in order to prevent abuses of market power? [Issue Nos. 436 and 503, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - MWD and TANC]
11. Should the term "ISO Operations Protocols" in section 2.3.1.2.2 of the ISO Tariff be a defined term. [Issue No. 516, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - CAC]
12. With respect to Tariff Amendment No. 7, should the Commission require the ISO to revise the "temporary rule" to impose a price cap for Imbalance Energy bids evaluated by the ISO's BEEP software? [Issue No. 371, Docket Nos. EC96-19-023, ER96-1663-024, and ER98-3760-000. Proponent - Houston Industries Power Generation ("HIPG")]
13. Is section 23.2.1 of the ISO Tariff reasonable?
 - a. Has the ISO failed to justify the change to section 2.5.22.4 that Supplemental Energy Bids must be submitted to the ISO not later than 45 minutes prior to the operating hour rather than 30 minutes?
 - b. Should the ISO be required to modify certain language relating to resources that provide Imbalance Energy at section 2.5.23.1, as it allows the ISO to use Regulation for Imbalance Energy?
 - c. Does the statement at section 2.5.23.1 that the ISO will follow its BEEP software "to the extent practical" afford the ISO unreasonable latitude?

- d. Should the ISO be ordered at section 2.5.23.2 to implement the necessary changes to its software in order to make the prices associated with the 10 minute posted price for instructed deviations the final price?

[Issue Nos. 597, 598, 599, 600, and 601, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]

C. EXISTING RIGHTS

1. Should the ISO and affected Participating Transmission Owner(s) be required under ISO Tariff §§ 2.4.4.1 et seq. to honor Existing Contract provisions and practices that allow netting in the accounting and billing treatment of wheeling in and wheeling out transactions? [Issue No. 546, Docket Nos. EC96-19-000 and ER96-1663-000 and EC96-19-029 and ER96-1663-030. Proponent - DWR]
2. Is the ISO's use of specific Adjustment Bid values for Existing Rights in Schedules and Bids Protocol ("SBP") section 4.6 appropriate and adequately justified or does it improperly modify the terms of Existing Contracts? [Issue No. 317, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - MWD and DWR]
3. With respect to the honoring of Existing Rights:
 - a. Whether Scheduling Protocol Section 4.3, rather than assigning responsibility for losses under an Existing Contract to the Participating TO, should provide for Losses to be specified in the operating instructions to be developed jointly by the Participating TO and the Existing Contract rights holder?
 - b. Whether Scheduling Protocol Section 4.3 should indicate how the ISO will determine for such difference in Losses its mechanism acceptable to the Participating TO to roll any associated shortfall or surplus into the ISO rates and charges applicable to the PTO in accordance with Section 2.4.4.4.5 of the ISO Tariff.
 - c. Should the last sentence of ISO Tariff section 2.4.4.4.5 be modified to eliminate an implication that an Existing Rightsholder will be responsible for payment of additional rates or charges not contemplated by the Existing Contract, and to eliminate an inconsistency with section 2.4.4.4.3, which provides that "the holders of Existing Rights and Non-

Converted Rights shall continue to pay the providers of the Existing Rights and Non-Converted Rights at the rates provided in the associated Existing Contracts?”

- d. Should the last sentence of section 2.4.4.4.5 be modified to eliminate the suggestion that Existing Rights may be subject to “the relevant ISO Tariff”, which implies such rights are subject to the Transmission Owner Tariff of the Participating TO with whom the Existing Rightsholder has an Existing Contract?
- e. Whether the Commission should clarify that the Transmission Owner Tariff will not be applicable to a party to an Existing Contract until and unless that party converts its rights and becomes a Participating Transmission Owner.

[Issue No. 318, Docket Nos. EC96-19-006 and ER96-1663-007, EC96-19-007 and ER96-1663-008, EC96-19-008 and ER96-1663-009, and EC96-19-029 and ER96-1663-030. Proponents - MWD and TANC]

- 4. With respect to ISO Tariff provisions regarding Existing Rights and the ISO’s compliance with the Commission’s orders regarding charges assessed to Existing Rightsholders:
 - a. Does the ISO have authority to charge Existing Rightsholders using firm transmission contracts for Intra-zonal Congestion through the Grid Operations Charge?
 - b. Should the ISO Tariff sections 2.4.4.4.1 and 7.3.2 be amended to provide that holders of Existing Rights and Non-Converted Rights shall have no responsibility for payment of Grid Operations Charges for load served by transmission service obtained pursuant to such rights in conformance with section 2.4.4.4.1, which provides that such rightsholders have no responsibility for payment of Usage Charges?
 - c. Should ISO Tariff sections 7.3.2 and 7.2.6.2 be amended to clarify that the ISO may only utilize Schedule Coordinators that provide adjustment bids to implement Intra-Zonal Congestion Management, unless emergency conditions exist, in which case section 5.1.3 of the ISO Tariff shall apply?

[Issue No. 79, Docket Nos. EC96-19-008 and EC96-1663-009, and Issue No. 507, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - MWD, SMUD, and DWR]

5. With respect to ISO operating instructions:
 - a. Whether section 9.9 of the SP should provide for information regarding Ancillary Services under Existing Contracts to be set forth in the operating instructions to be developed jointly by the RPTO and the Existing Contract rights holder;
 - b. Whether section 3.3.5.2 of the SBP should require the ISO to notify an Existing Rights holder, as well as a Participating TO, of any perceived problem with operating instructions submitted to the ISO; and
 - c. Whether the Schedules and Bids Protocol (“SBP”), including Sections 3.3.5.1, 3.3.5.2, and 3.4, should be revised to provide that parties other than Responsible Participating Transmission Owners may submit operating instructions, as provided by SBP Section 3.2? [Issue No. 124, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-007, and ER96-1663-009. Proponent - TANC]
 - d. Whether SBP Section 3.3.5.2 should be revised to more precisely define permissible bases for the ISO’s discretion to reject revised operating instructions and to limit the ISO’s discretion to delay as long as seven days in implementing those instructions? [Issue Nos. 124 and 125, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-007, and ER96-1663-009. Proponent - TANC]
6. Has the ISO appropriately integrated scheduling rights under Existing Contracts?
 - a. Should section 2.4.4.5.1.6 which gives the ISO the right to use Existing Rights and Non-Converted Rights that have not been scheduled by the start of the ISO’s Hour-Ahead Scheduling process be stricken if such a requirement is inconsistent with the Existing Rights or Non-Converted Rights at issue;
 - b. Do sections 7.4.4, 7.5, 7.5.1 and 7.5.2 of the SP preserve Existing Contract rights that give parties scheduling flexibility after the close of the ISO’s Hour-Ahead scheduling process;

- c. Is the ISO's proposed treatment, that any use of such Existing Contract scheduling flexibility gives rise to Imbalance Energy deviations to be priced and accounted to the Scheduling Coordinator for that rights holder, just and reasonable?
- d. Is the second sentence of ISO Tariff section 2.4.4.5.1.6 inconsistent with the Commission's ruling that the ISO must honor flexible scheduling rights;
- e. Should the final sentence of ISO Tariff section 2.4.4.5.1.6 be deleted as being inconsistent with the Commission's directive in its October 30, 1997 Order that the ISO must honor flexible scheduling rights; and
- f. Does SP 7.4.4 run counter to the contractual provisions for a majority of the holders of Existing Contracts, inasmuch as such right holders can schedule up to 20 minutes before the operating hour, while the ISO's market is two hours prior to the beginning of the operating hour?

[Issue No. 251, Docket Nos. Docket Nos. EC96-19-006 and ER96-1663-007, EC96-19-007 and ER96-1663-008, EC96-19-008 and ER96-1663-009, and EC96-19-029 and ER1663-030. Proponents TANC, Southern Cities, SMUD, and Dynegy]

- 7. Should the ISO be required to implement ISO Tariff section 2.4.4.3.1.4 by giving express recognition to different priorities for firm service under Existing Contracts on Path 15, for purposes of allocating constrained capacity and for purposes of allocating Usage and Wheeling Revenues for PTOs who have converted their Existing Contracts, and should the ISO be required to reconcile ISO Tariff sections 7.3.1.6 and 7.1.4.2 with section 2.4.4.3.1.4? [Issue No. 351, Docket Nos. EC96-19-000 and ER96-1663-000, EC96-19-016 and ER96-1663-017, EC96-1663-023 and ER96-1663-024, EC96-19-029 and ER96-1663-030. Proponent - DWR]
- 8. Should Participating TOs who are Existing Rightsholders, but who do not own and operate transmission and have no transmission customers, be required under ISO Tariff §§ 7.3.1.6, 7.1.4.2 to develop an Access Charge, Transmission Revenue Requirement and/or Transmission Revenue Balancing Account in order to receive Usage Charge and Wheeling revenues pursuant to ISO Tariff § 2.4.4.3.1.4 upon conversion of their Existing Contracts?

[Issue No. 558, Docket Nos. EC96-19-029 and ER96-1663-030.
Proponent - DWR]

D. MARKET MONITORING

1. Whether the ISO's role in market monitoring should be limited to data collection and monitoring only, but should not include an enforcement or police function? [Issue No. 631, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and WPTF]
2. Does section 2 of the Market Monitoring and Information Protocol of the ISO Tariff ("MMIP") that allows the ISO to monitor the activities of Market Participants and take corrective and other action against what it believes to be "anomalous market behavior" provide the ISO with overbroad authority and deny market participants due process? [Issue No. 64, Docket Nos. EC96-19-008 and ER96-1663-009. Proponents - BPA, Dynegy, Enron, and WPTF]
3. Does section 2.3.2 of the MMIP, which allows the ISO to publicize allegedly abusive activities or behavior of Scheduling Coordinators before a Commission finding of wrongdoing is reached, deny Scheduling Coordinators due process? [Issue No. 65, Docket Nos. EC96-19-008 and ER96-1663-009. Proponents - Enron and WPTF]
4. Are the informational demands contained in section 4.5 of the MMIP unjust and unreasonable? [Issue No. 66, Docket Nos. EC96-19-008 and ER96-1663-009. Proponents - Enron, WPTF, and Dynegy]

E. METERED SUBSYSTEMS

1. Has the ISO unreasonably delayed implementation of the Metered Subsystem concept and failed to fully and appropriately describe what an entity must do to operate as a metered subsystem, whether the ISO should establish specific target dates for implementation of the metered subsystem concept, or whether the Commission should remedy the ISO's failure to propose a workable Metered Subsystem, including providing for literal Self-Provision of Ancillary Services and the bidding and sale of Ancillary Services and Energy to the PX and ISO from a "System Unit."? Whether the definition of Existing Operating Agreement, in Appendix A to the ISO Tariff, should be modified to eliminate the requirement that the agreement must be entered into "prior to the ISO Operations Date." [Issue Nos. 2, Docket Nos. EC96-19-003 and ER96-1663-003 and

EC96-19-029 and ER96-1663-030, Issue No. 71, Docket Nos. EC96-19-008 and ER96-1663-009, and Issue No. 377, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Numerous intervenors, including but not limited to, Turlock, SMUD, Pacific Gas & Electric Company (“PG&E”), and Los Angeles Department of Water and Power (“LADWP”)]

2. Is the amendment to section 2.5.24 of the ISO Tariff, that gives the ISO the ability to take direct control of the Metered Subsystem for any reliability reason even before it turns to other Ancillary Services bids, unreasonably broad in its scope of potential control, unjustly violative of Existing Contracts or unduly discriminatory as allowing the ISO to assume greater control over Metered Subsystems than any other type of Generating Unit, in contravention of section 5.1.3? [Issue Nos. 70 and 75, Docket Nos. EC96-19-008 and ER96-1663-009. Proponents - Turlock and SMUD]
3. Whether the definition of Metered Subsystem, in Appendix A of the ISO Tariff, should be modified to eliminate the requirement that a Control Area operator operate its system in accordance with an Existing Contract? [Issue No. 2, Docket Nos. EC96-19-003 and ER96-1663-003, EC96-19-008 and ER96-1663-009, and EC96-19-029 and ER96-1663-030. Proponents - LADWP and Turlock]
4. Are the ISO’s proposed amendments to section 2.5.20.3 of the ISO Tariff, which give the Metered Subsystem the ability to utilize a System Unit to participate in the procurement process of the ISO in relation to any Ancillary Service other than Regulation just and reasonable and not unduly discriminatory? Is the ISO’s proposed amendments to the definition of Metered Subsystem, which eliminates the Metered Subsystem’s right to bid Ancillary Services into the PX and Ancillary Services market just and reasonable and not unduly discriminatory? [Issue No. 248, Docket Nos. EC96-19-003 and ER96-1663-003, EC96-19-029 and ER96-1663-030, and EC96-19-035 and ER96-1663-036. Proponents SMUD and Turlock]
5. Should the ISO make Metered Subsystems available to Scheduling Coordinators and is its failure to do so while committing to provide incumbents with metered subsystems unduly discriminatory? [Issue No. 295, Docket No. EC96-19-003 and ER96-1663-003. Proponents - Enron and WPTF]

F. METERING

1. Is the language in ISO Tariff section 10.6.6.2 unduly restrictive because it grandfathers existing metering arrangements only for

End Use meters? [Issue No. 473, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Southern Cities]

2. Should section 10.2.2 and section 5.1.1 of the Metering Protocol (“MP”) be modified so that the ISO would not be permitted to impose additional metering requirements except to the extent such additional facilities are necessary to permit the ISO to fulfill obligations with respect to the ISO Controlled Grid. Issue Nos. 40 and 53, Docket Nos. EC96-19-008 and ER96-1663-009. Proponents - Southern Cities and CAC.
3. Whether the Metering Protocol should describe the powers and authority of the ISO in the event of a party’s failure to comply with the ISO’s audit or test procedures in order to consistently define the authority of the ISO? [Issue No. 140, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-007, and ER96-1663-009. Proponent - TANC]

G. OUTAGES

1. Whether sections 2.3.1.1.4, 2.3.3.1, and 2.3.3.5 of the ISO Tariff are reasonable? [Issue No. 409, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - PG&E and CAC]
2. Should the ISO’s reasons for rejecting a requested Maintenance Outage or requested change to an Approved Maintenance Outage provided pursuant to section 2.3.3.5.3 of the ISO Tariff be provided for information purposes only, or should affected parties be permitted to challenge the ISO’s determination after-the-fact in order to provide guidance for future determinations involving similar conditions, and does the ISO’s amendment to section 2.3.3.5.3 of the ISO tariff fail to properly implement the directive from the Commission’s October 30, 1997 Order? [Issue No. 446, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - TANC and Southern Cities]
3. Should section 2.3.3.6.1 of the ISO Tariff be modified to establish a time frame within which the Operator must provide written justification for refusing a request for a Maintenance Outage. Issue No. 519, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - CAC]

H. PORTFOLIO BIDDING

Does the ISO’s prohibition of portfolio bidding for inter-zonal access, Ancillary Services, and Supplemental Energy discriminate against in-area

non-incumbents and create inefficiencies in the market? [Issue No. 294, Docket Nos. EC96-19-003 and ER96-1663-003. Proponents - Enron, WPTF, and Dynegy]

I. PX

1. Whether the changes to the ISO Schedules and Bids Protocol and Scheduling Protocol in Amendment No. 7 that describe priorities for Reliability Must-Run Generation and Existing Contract rights are unjust and unreasonable as applied to the PX. [Issue No. 267, Docket Nos. EC96-19-023 and ER96-1663-024. Proponent - PX]
2. Does the ISO Tariff fail to provide the appropriate degree of separation between the ISO and the PX, and does the ISO Tariff accord the PX preferential treatment with respect to GMMs. [Issue No. 296, Docket Nos. EC96-19-003 and ER96-1663-003. Proponents - Enron and Coral]

J. SCHEDULING

1. Should section 24 of the ISO Tariff requiring Scheduling Coordinators to schedule and bid within the physical capability of their generating unit's physical constraints be a permanent requirement of the ISO Tariff or should this requirement be eliminated? [Issue No. 197, Docket Nos. EC96-19-021 and ER96-1663-022. Proponents - MWD and the PX]
2. Should the ISO Tariff address the nature and scope of a Scheduling Coordinator's responsibilities to the Eligible Customers it serves? [Issue No. 504, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - MWD]
3. Whether the ISO has unreasonably delayed implementation of the ability of market participants to utilize more than one scheduling coordinator at a single meter? [Issue No. 90, Docket Nos. EC96-19-006, EC96-19-007, EC96-19-008, ER96-1663-007, ER96-1663-008, and ER96-1663-009, and Issue No. 383, Docket Nos. EC96-19-035 and ER96-1663-036. Proponents - Dynegy, Turlock, and CAC]
4. Does the limitation in section 2.5.22.4.1 of the ISO Tariff on the capability of market participants to withdraw Supplemental Energy bids unreasonably bind a generator to an ISO obligation without any compensation? [Issue No. 374, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - LADWP]

K. SETTLEMENTS

1. Whether the review and notification of errors periods for Preliminary Settlement statements are unreasonable and otherwise impinge on rights to challenge billing errors for the full term of any applicable statute of limitations? [Issue No. 59, Docket Nos. EC96-19-010, EC96-19-011, ER96-1663-011, and ER96-1663-012. Proponent - Cities / M-S-R]
2. Is the process for collecting default amounts under Settlement and Billing Protocol §6.9 (c) unjust and unreasonable. [Issue No. 309, Docket Nos. EC96-19-008 and ER96-1663-009. Proponent - Southern Cities]

L. TRANSMISSION PRICING AND LOSSES

1. Is the ISO's use of Hour-Ahead Generation Meter Multipliers ("GMM") and ex post GMMs an unreasonable condition of service or harmful to the market? [Issue No. 493, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Enron and WPTF]
2. Whether the Default Usage Charge is insufficiently detailed, unreasonable, or discriminatory, and whether the existing Default Usage Charge should be rejected and replaced by a charge that reflects the zonal price differential based on an adjusted Market Clearing Price determined from actual generation bids? [Issue No. 205, Docket Nos. EC96-19-017 and ER96-1663-019, EC96-19-021 and ER96-1663-022, and ER98-3760-000. Proponents - HIPG, Enron, WPTF, DWR, and PX]
3. With respect to the ISO's Neutrality Adjustment:
 - a. Is the ISO's Neutrality Adjustment sufficiently defined and should it be included as a formula rate in the ISO Tariff?
 - b. Should there be a cap on the amounts that can be collected?
 - c. What items are properly included in the Neutrality Adjustment?
 - d. How should the charges be allocated?

[Issue Nos. 204, 208, 229, and 304, Docket Nos. EC96-19-021 and ER96-1663-022, and Issue No. 403, Docket No. ER98-3760-000. Proponents - Dynegy, Southern Cities, Cities / M-S-R, and City of Vernon, California ("Vernon")]

4. With regard to Metered Subsystems, Existing Contracts, or non-converted transmission contracts, should SP 4.2.1 (c) and SBP 2.2.2 be revised to recognize that transmission losses may be dealt with by a scheduling party's system according to existing protocols in use for those contracts and not according to ISO propocols? [Issue No. 80, Docket Nos. EC96-19-008 and ER96-1663-009 and Issue No. 347, Docket Nos. EC96-19-006, EC96-19-008, ER96-1663-007, and ER96-1663-009. Proponents - SMUD and MWD]
5. Are the ISO's unaccounted for energy ("UFE") charges in accordance with the ISO Tariff, and not unjust, unreasonable or unduly discriminatory or preferential; should the ISO Tariff be clarified or revised? [Issue No. 321, Docket No. EC96-19-003 and ER96-1663-003, Issue No. 362, EC96-19-000 and ER96-1663-000, EC96-19-003 and ER96-1663-003, and EC96-19-029 and ER96-1663-030, Issue No. 402, Docket Nos. ER98-3760-000 and EC96-19-029 and ER96-1663-030, Issue No. 423, Docket Nos. EC96-19-029 and ER96-1663-030, Issue No. 459,⁸ and Issue No. 550, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - DWR, MWD, Vernon, PG&E, and Southern Cities]
6. With respect to Settlement and Billing Protocol ("SABP"), Appendix A, section 3.2, should "metered consumption be changed to "metered Demand"? [Issue No. 89, Docket Nos. EC96-19-008 and ER96-163-009. Proponent - SMUD]
7. Should less costly alternatives to transmission expansion identified in ISO Tariff section 3.2.1.2 be priced at the greater of a cost-based rate or the revenues foregone (*i.e.*, the opportunity cost) in providing them. [Issue No. 356, Docket Nos. EC96-19-000 and ER96-1663-000 and EC96-19-003 and ER96-1663-003. Proponent - DWR]
8. Is the ISO's failure to permit discounting in its wheeling-out rates arbitrary and unreasonable, resulting in transmission service that is substantively worse than the quality of service contemplated by Order No. 888? [Issue No. 492, Docket Nos. EC96-19-029 and ER96-1663-030]. Proponents - Enron and WPTF]

⁸ Issue No. 459 is not associated with a prior docket.

M. Transmission Control Agreement

1. Whether the ISO properly complied with the requirement from the October 30, 1997 Order at 61,457, to include in section 2.3.1.3.2 of the ISO Tariff an adequate reference to section 5 of the Transmission Control Agreement placing limits on the ISO's ability to establish new reliability criteria? [Issue No. 534, Docket Nos. EC96-19-029 and ER96-1663-030. Proponents - Cities / M-S-R and Palo Alto]
2. Should section 4.7.1(i) of the Transmission Control Agreement be modified to require that facilities that were accepted by the ISO during the application process under section 4.1.1, and not refused in accordance with section 4.1.3, cannot then be "released" under section 4.7.1(i) once the applicant becomes a Participating TO. [Issue No. 379, Docket No. ER98-1971-001. Proponent - LADWP]

N. OTHER ISSUES

1. With respect to dispute resolution:
 - a. Whether the ISO should provide for access to ISO voice recordings by entities receiving dispatch instructions prior to the commencement of Alternative Dispute Resolution, regulatory, or judicial proceedings? [Issue No. 49, Docket Nos. EC96-19-008 and ER96-1663-009. Proponent - Southern Cities]
 - b. Does ISO Tariff §13.3.5.1 afford arbitrators too much discretion to create agreements? [Issue No. 305, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Southern Cities]
2. Whether DP 3.8.1 and 3.9.1 which state that the ISO will provide certain information regarding the status of the system to adjacent control areas are unduly discriminatory and preferential by failing to make that information available to Market Participants? [Issue No. 608, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - Dynegy]
3. Whether there should be a new section 2.2.6.11 to provide that a Scheduling Coordinator will continue to schedule power for seven (7) days following notice to the ISO and the UDC that it will stop scheduling for an eligible customer? [Issue No. 404, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - PG&E]

4. Must the ISO modify its bylaws to provide for the existence, role and independence of a separate market monitoring unit within the organization. Issue No. 399, Docket Nos. EC96-19-029 and ER96-1663-030. Proponent - TURN/UCAN.

O. ISSUES ON REHEARING

1. With respect to ISO charges:
 - a. Whether the Congestion Management and the Usage Charge components of the ISO Tariff's transmission pricing provisions are unjust and unreasonable (e.g. result in improper cost shifts and improper ("and" pricing) not in conformance with the Commission's Transmission Pricing Policy? [Issue No. 637, Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, EC96-19-009, ER96-1663-000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, ER96-1663-010 OA96-28-000, OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponents - City and County of San Francisco, Cities / M-S-R, and Palo Alto]
 - b. Is the allocation of unaccounted for energy ("UFE") to wholesale transmission customers who have not signed Utility Distribution Company Agreements, unjust, unreasonable or unduly discriminatory? [Issue No. 655, Docket Nos. EC96-19-002, EC96-19-003, EC96-19-004 , EC96-19-005 , EC96-19-009, ER96-1663-001, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, and ER96-1663-010. Proponents - DWR and MWD]
2. With respect to operating instructions:
 - a. Whether Section 2.4.4.4.1.1 of the ISO Tariff improperly provides for default to the Participating TO's operating instructions to the ISO for an Existing Contract when those instructions are disputed by the party or parties to the Existing Contract, and whether Sections 7.1.1, 7.3.1 and 7.4.1 of the Scheduling Protocol should provide for information regarding Existing Contracts to be set forth in the operating instructions to be developed jointly by the Responsible Participating Transmission Owner and the Existing Contract rights holder? [Issue No. 644, Docket Nos. EC96-19-009 and ER96-1663-010. Proponents - TANC, Cities / M-S-R, and Palo Alto]

- b. Whether the authority granted the ISO under its Tariff to control facilities of a Utility Distribution Company or Metered Subsystem is excessive and inconsistent with the terms and conditions of Existing Contracts, and whether the ISO's authority to approve or cancel outages, over metering standards and with respect to Operation & Management practices, which is different from or additional to the standards reflected in Existing Contracts, is unreasonable? [Issue No. 646, Docket Nos. EC96-19-009 and ER96-1663-010. Proponent - TANC]
 - c. Whether Section 2.3.1.2.1 of the ISO Tariff should be amended to limit the authority of the ISO to impose its operating orders on all Market Participants where no such authority derives from Existing Contracts or arrangements or where such orders are in direct conflict with the operating procedures of a Utility Distribution Company or the terms and conditions of an Existing Contract? [Issue No. 668, Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, ER96-1663-000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, OA96-28-000, OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponents - TANC, Cities / M-S-R, and Palo Alto]
- 3. Whether sections 2.3.1.2.2, 2.3.1.3.1, 5.1.1, and 5.6.1 should be revised to restrict the ISO's ability to give operational instructions to generation located outside of the ISO Control Area. [Issue No. 635, Docket Nos. EC96-19-001 and ER96-1663-001. Proponents - BPA and CAC]
- 4. Are ISO Tariff section 2.5.20.5.1 and SP sections 3.2.6.3, 3.2.8.3, and 3.3.1.3 which result in the invalidation of a submittal for all Settlement Periods for the relevant Trading Day if the submittal for any one Settlement Period is invalid, just and reasonable, and is Settlement and Billing Protocol 3.4, which provides that a Scheduling Coordinator error in the denomination of the reference number for an Existing Contract results in the entire Schedule being treated as a new firm use, consistent with the ISO Tariff's obligation to honor Existing Contracts as stated in sections 2.4.3 and 2.4.4?? [Issue No. 12, Docket Nos. EC96-19-006, EC96-19-008, ER96-1663-007, and ER96-1663-009, and Issue No. 659, Docket Nos. EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, EC96-19-009, ER96-1663-001, ER96-1663-003, ER96-1663-004, ER96-

1663-005, ER96-1663-006, and ER96-1663-010. Proponents - BPA, Southern Cities, TANC, Dynegy, MWD, and DWR]

5. Should ISO Tariff section 5.1.4 be modified to increase the size of the threshold exemption for Generating Unit compliance with section 5 (other than in System Emergencies)? [Issue No. 653, Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, EC96-19-009, ER96-1663-000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, ER96-1663-010 OA96-28-000. OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponents - MWD, Cities / M-S-R, and Palo Alto]
6. Does ISO Tariff sections 5.2.7.1 and 5.2.7.2 require the unduly burdensome posting of financial security, thereby causing those Transmission Owners responsible for must-run payments to bear unnecessary costs? [Issue No. 639, Docket Nos. EC96-19-013 and ER96-1663-014. Proponent - Southern California Edison Company ("SoCal Edison")]
7. Whether the protection afforded tax exempt debt should apply to debt issued after December 20, 1995? [Issue No. 664, Docket Nos. Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, ER96-1663-000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, OA96-28-000. OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponents - Cities / M-S-R and Palo Alto]
8. Whether the definitions of Regulatory Must Take Generation and Eligible Regulatory Must-Take Generation should be modified to ensure that all Must-Take units receive comparable treatment? [Issue No. 665, Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, ER96-1663-000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, OA96-28-000. OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponents - Cities / M-S-R and Palo Alto]
9. Whether the five percent differential trigger for the establishment of new Congestion Zones is appropriate, and whether Commission approval should be obtained prior to any modification to a Congestion Zone or the establishment of a new Congestion Zone? [Issue No. 662, Docket Nos. EC96-19-000, EC96-19-001, EC96-19-002, EC96-19-003, EC96-19-004, EC96-19-005, ER96-1663-

000, ER96-1663-001, ER96-1663-002, ER96-1663-003, ER96-1663-004, ER96-1663-005, ER96-1663-006, OA96-28-000, OA96-139-000, OA96-222-000, OA96-76-000, OA97-602-000, and OA97-604-000. Proponent - Cities / M-S-R]

10. Does the ISO Tariff contain an inappropriate inconsistency between the computation of the Wheeling Access Charge and the disbursement of Wheeling Revenues (sections 2.4.4.3.1 vs 7.1.4.3)? [Issue No. 645, Docket Nos. EC96-19-009 and ER96-1663-010. Proponents - TANC and DWR]
11. Whether section 2.4.4.5.1.6 of the ISO Tariff, which allows the ISO to make available any unused transmission capacity which has not been scheduled by the Existing Rights holder by the start of the ISO's Hour-Ahead scheduling process, inappropriately allows for appropriation of transmission capacity without payment of compensation, is inconsistent with preservation of within-the-hour scheduling flexibility, and could impair the interests of non-Participating Transmission Owners or Entitlements of Existing Contracts rights holders that were financed with tax-exempt bonds? [Issue No. 643, Docket Nos. EC96-19-009 and ER96-1663-010. Proponents - TANC, Cities / M-S-R, and Palo Alto]
12. With respect to ISO Tariff Amendment No. 7, can the ISO's "temporary rule" to impose a price cap for imbalance energy bids evaluated by the ISO's BEEP software be used to bar generators from bidding above the price cap to supply Imbalance Energy? [Issue No.634, Docket Nos. EC96-19-030 and ER96-1663-031. Proponent - HIPG]
13. Whether the priority for Reliability Must-Run Generation in Amendment No. 7 is improper? [Issue Nos. 253, 641, 642, and 670, Docket Nos. EC96-19-023, EC96-19-030, ER96-1663-024, and ER96-1663-031. Proponents PX, DWR, Turlock, Cities / M-S-R, and CAC]
14. Did the Commission's October 30, 1997 decision to strike certain overgeneration provisions of the ISO Tariff result in consequences of overgeneration to be born only by some, and not all of the responsible parties, and did it produce an inequitable and discriminatory result. [Issue No. 366, Docket Nos. EC96-19-009 and ER96-1663-010. Proponents - PG&E, SDG&E, SoCal Edison]
15. Whether the Commission erred in requiring modification of the liability provisions in sections 14.1 and 14.2 of the ISO Tariff?

[Issue No. 676, Docket Nos. EC96-19-009 and ER96-1663-010.
Proponent - ISO]

16. Whether the MSS concept under the ISO Tariff should be limited so that it would only be used as a vehicle to respect existing operational capabilities for Existing Rightsholders? [Issue No. 677, Docket Nos. EC96-19-009 and ER96-1663-010. Proponent - ISO]
17. Whether End-Use meters of ISO metered entities should all be grandfathered or whether there should be a case-by-case evaluation? [Issue No. 675, Docket Nos. EC96-19-009 and ER96-1663-010. Proponent - ISO]

Respectfully submitted,

Kenneth G. Jaffe
David B. Rubin
Sean A. Atkins
Swidler Berlin Shereff Friedman, LLP
3000 K Street, NW
Washington, D.C. 20007
(202) 424-7500

Counsel for the California Independent System Operator
Corporation

Dated: January 4, 2000

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents by first class mail, postage prepaid, upon each person designated on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this Proceeding.

Dated at Washington, D.C. on this 4th day of January, 2000.

David B. Rubin
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W.
Washington, D.C. 20007

Counsel for the California Independent
System Operator Corporation