

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

California Independent System
Operator Corporation
Docket No. ER03-1245-000
October 23, 2003

Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

Attention: Julia Moore, Esquire
Counsel for California Independent System
Operator Corporation

Reference: Amended Participating Generator Agreement

Dear Ms. Moore:

On August 25, 2003, you submitted for filing, on behalf of the California Independent System Operator Corporation (CA ISO), an amended non-conforming Participating Generator Agreement (PGA) between the CA ISO and Energia Azteca X, S. de R.L. de C.V. (EAX). The amended PGA between CA ISO and EAX relates to the operation of combustion turbine C and associated generating facilities of the Ciclo Combinado Mexicali power plant located in Mexico. Specifically, the amended PGA provides for a revised section 4.6.1 regarding coordination of maintenance outage consistent with CA ISO tariff. Waiver of the Commission's notice requirements pursuant to section 35.11 of the Commission's rules and regulations (18 C.F.R. § 35.11) is granted and the amended PGA is accepted for filing effective July 15, 2003, as requested. The rate schedule designation included in the filing is correct.

This filing was noticed on August 27, 2003, respectively, with comments, protests, or motions to intervene due on or before September 15, 2003. No protests or comments were filed. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provision of Rule 214.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation or practice

affecting such rate or service provided for in the filed documents; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or any which may hereafter be made by the Commission in any proceeding now or pending or hereafter instituted by or against California Independent System Operator Corporation.

This action is taken pursuant to authority delegated to the Director, Division of Tariffs and Market Development - West, under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Jamie Simler, Director
Division of Tariffs and Market
Development – West

cc: All Parties