

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

Revised Public Utility Filing Requirements ) Docket No. RM01-8-000  
Electric Quarterly Reports ) Docket No. ER02-2001-000

**MOTION OF THE CALIFORNIA INDEPENDENT  
SYSTEM OPERATOR CORPORATION FOR EXTENSION OF TIME  
TO FILE CORRECTED ELECTRIC QUARTERLY REPORT AND TO  
SUBMIT LIST OF CONFORMED CONTRACTS OUT OF TIME**

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 Corporation ("ISO") requests leave to submit both its corrected Fourth Quarter 2002 Electric Quarterly Report ("EQR") and its list of conformed contracts on April 25, 2003. In support of this motion, the ISO states as follows.

**I. Background**

On April 25, 2002, Commission issued Order 2001,<sup>1</sup> amending its filing requirements under the Federal Power Act to require public utilities to file electronically Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and transaction information for short-term

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<sup>1</sup> *Revised Public Utility Filing Requirements*, Order No. 2001, 67 FR 31043, FERC Stats. & Regs. ¶ 31,127 (April 25, 2002) ("Order 2001"); *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reconsideration and clarification denied*, Order No. 2001-B, 100 FERC ¶ 61,342 (2002). See also *Revised Public Utility Filing Requirements*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), and Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

and long-term market-based power sales and cost-based power sales during the most recent calendar quarter.

An additional requirement of Order No. 2001 was for public utilities to “identify the service agreements in their tariffs currently on file with the Commission that conform to the standard forms of service agreements,” *i.e.*, their “conforming contracts”. Order 2001 at P 360.

On February 20, 2003, the ISO submitted what it believed was its Fourth Quarter 2002 EQR in accordance with the Commission’s 2001 Orders. Misconstruing the Commission’s directives, the ISO submitted only the EQR template with conformed contracts listed, rather than both the EQR template with conformed and non-conformed contracts and the separate list of conformed contracts.

On March 24, 2003, the Commission issued a “Notice of Electric Quarterly Reports Workshop.” The Workshop was intended to allow Commission staff to explain and demonstrate improvements to the EQR software and “lessons learned” from the Fourth Quarter 2002 EQR experience. In addition, as described in an April 4, 2003 “Notice Providing Further Details on Electric Quarterly Reports Workshop,” the Commission stated that it was “interested in soliciting questions and/or comments regarding the EQR Submission and Dissemination Systems in advance of, as well as during, the Workshop.” April 4, 2003 Notice at 1.

Due to concerns raised by a number of public utilities regarding the ability to complete the corrected Fourth Quarter 2002 EQR required by the Commission, on March 28, 2003, the Commission issued Order 2001-D, which required that public utilities file corrected Fourth Quarter EQRs by April 11, 2003. The specific corrections

outlined in Order 2001-D included, but are not limited to, Total Transaction Charge field comma errors, file conversion errors, and lack of DUNS numbers. The ISO and several other entities requested extensions in the date for filing the corrected Fourth Quarter 2002 EQRs, in light of the fact that the Workshop was scheduled for that same day. The ISO, in its April 8 Motion for Extension of Time, requested that it be permitted to file on April 25 to “allow the CAISO to digest and apply the direction provided by the Workshop.” In response to the several requests, without specifically identifying the various entities that filed motions, the Commission on April 9, 2003 issued a “Notice of Extension of Time” extending the date by which all public utilities must file the corrected EQR to April 18, 2003.

The ISO forwarded questions to Commission staff on April 8, 2003, as requested in the April 4 Notice. The EQR Workshop took place as scheduled on April 11, 2003 and the ISO was in attendance. The ISO found the Workshop extremely enlightening and the information gathered and guidance received at the Workshop will allow the ISO to make significant strides in its effort to file the correct information with the Commission.

## **II. Argument**

### **A. EQR**

The ISO seeks an extension until April 25, 2003 to submit its corrected Fourth Quarter 2002 EQR. The ISO requests this extension due to the difficulties it has had in interpreting the Commission’s guidance on the details required for the Fourth Quarter 2002 EQR and to allow the ISO to use the information and guidance gathered at the Workshop on April 11 to complete the Fourth Quarter 2002 EQR correctly. Due to the

very large volume of non-conformed contract data to be compiled and entered into the Commission's EQR software, however, the ISO believes that it will not be able to complete this task by April 18. In addition, the ISO is finding the research required to complete each of the fields in the template for the non-conformed contracts very labor- and time-intensive. In numerous cases the contracting parties have not come forward with the information required (*i.e.*, DUNS numbers) and, based on discussions at the Workshop, the ISO understands that it is our responsibility to research this information if the contracting party does not supply it.

The ISO also is concerned that if it were to attempt to meet just the template requirement by the April 18 date, the ISO's filing could be riddled with additional errors that would need to be corrected in the future. As noted in its April 8 Motion, the ISO does not wish to burden the Commission, or to tax its own limited resources, by submitting multiple corrected Fourth Quarter 2002 EQRs.

B. List of Conformed Contracts

As noted above, the ISO has experienced confusion in interpreting the Commission's directives in Order No. 2001 and its progeny. One significant element of its confusion was that, in addition to the Fourth Quarter 2002 EQR submittal discussed above, the ISO also was to file a separate list of conforming contracts so that the Commission staff could purge their existing files of the ISO's conformed contracts, as contemplated by Order 2001.

The ISO respectfully requests that it be permitted to file its list of conforming contracts out of time by April 25. The ISO is aware of the benefits to be gained by both itself and by the Commission in evolving to an electronic format for maintaining and

amending these contracts going forward. For the ISO, adopting a purely electronic system for these items will spare its personnel hours of time spent maintaining and filing documents with the Commission. The Commission, as well, can avoid the strain on both the physical confines of the Commission and the time of Commission personnel needed to maintain and update the paper files in which these contracts currently are maintained. In light of this, the ISO hopes that the Commission will agree that it is advantageous to both itself and to the ISO to allow the ISO to submit its list of conforming contracts out of time, and not foreclose the opportunity to reserve the resources of the Commission and of the ISO for other matters.

### **III. Request for Expedited Consideration**

Due to the short time remaining before the corrected Fourth Quarter 2002 EQRs are due, the CAISO respectfully requests that the Commission rule on this Motion as soon as possible.

#### IV. Conclusion

For these reasons, the ISO requests that the Commission grant its request for an extension of time until April 25, 2003 to submit its corrected Fourth Quarter 2002 EQR, and grant its request to file out of time its list of conforming contracts also on April 25, 2003.

Respectfully submitted,



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Dated: April 17, 2003

## 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 the above-captioned docket.

Dated at Washington, DC, on this 17<sup>th</sup> day of April, 2003.

  
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Julia Moore