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July 14, 2004

The Honorable Magalie Roman Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

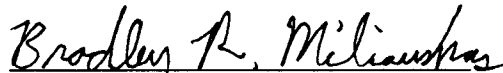
**Re: Public Utilities Providing Service in California under Sellers' Choice Contracts
Docket No. EL04-108-000**

Dear Secretary Salas:

Enclosed for filing are one original and fourteen copies of the Motion to Intervene of the California Independent System Operator Corporation, submitted in the above-captioned proceeding. A copy of the Motion to Intervene is also being provided to the Presiding Administrative Law Judge in the proceeding.

Also enclosed are two extra copies of the filing to be time/date stamped and returned to us by the messenger. Thank you for your assistance. Please contact the undersigned if you have any questions regarding this filing.

Respectfully submitted,



J. Phillip Jordan
Bradley R. Miliauskas

Counsel for the California
Independent System Operator
Corporation

cc: The Honorable Isaac D. Benkin, Presiding Administrative Law Judge

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

Public Utilities Providing Service in) Docket No. EL04-108-000
California under Sellers' Choice)
Contracts)

**MOTION TO INTERVENE OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION**

Pursuant to Rules 212 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.214, the California Independent System Operator Corporation ("ISO") hereby moves to intervene in the above-captioned proceeding. The ISO files this motion out of an abundance of caution. The ISO was the party that filed the proposal that is the subject of the general market-redesign proceeding in which the June 17, 2004 order requiring the instant proceeding (107 FERC ¶ 61,274 ("June 17 Order")) was issued; the ISO was not an intervenor. *See* June 17 Order at P 6. In the instant proceeding, the Presiding Administrative Law Judge has stated that:

The Commission order of June 17, 2004, setting this matter for hearing, created a wholly new docket, separate from the docket in which the balance of the California Independent System Operator's market redesign proposals was being considered. Therefore, it is necessary for parties who have *intervened* in the general market-redesign proceeding . . . to file for intervenor status in Docket No. EL04-108-000 if they wish to become parties in this proceeding

Presiding Administrative Law Judge's Order Shortening Time to Answer Motions to Intervene, Docket No. EL04-108-000 (July 9, 2004), at P 1 (emphasis added). Although the ISO was not an intervenor in the general market-redesign proceeding, it nevertheless

is submitting the present motion to intervene to ensure that there is no question about its status as a participant in this proceeding.

I. CORRESPONDENCE AND COMMUNICATIONS

Please include the following persons on the official service list for this proceeding and address all notices and communications with respect to this proceeding to:

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* Individuals designated to receive service pursuant to Rule 203(b)(3) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.203(b)(3).

II. BASIS FOR MOTION TO INTERVENE

The ISO is a non-profit public benefit corporation organized under the laws of the State of California and responsible for the reliable operation of an electricity transmission grid comprising the transmission systems of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and the Cities of Vernon, Anaheim, Azusa, Banning, and Riverside, California, as well as for the coordination of the competitive electricity markets in California.

The instant proceeding is a direct outgrowth of the Commission's proceeding concerning the ISO's proposal to redesign the California electricity markets. *See* June 17

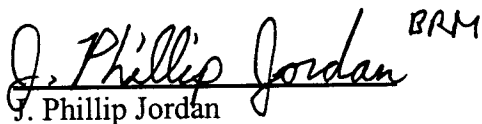
Order at PP 6, 165-66. Accordingly, the ISO has a unique interest that will be directly affected by the outcome of the instant proceeding. Given this interest, no other party can adequately represent the ISO in this case. Accordingly, the ISO respectfully requests that the Commission grant this motion to intervene in the above-captioned proceeding and make the ISO a party to the proceeding for all purposes.

III. CONCLUSION

Wherefore, for the foregoing reasons, the ISO respectfully requests that the Commission permit it to intervene in this proceeding.

Respectfully submitted,

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Attorneys for the California Independent System Operator Corporation

Dated: July 14, 2004

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 proceeding.

Dated at Folsom, California this 14th day of July, 2004.

Daniel J. Shonkwiler ^{BRM}
Daniel J. Shonkwiler