

November 20, 2000

David P. Boergers, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: **Duke Energy Oakland LLC.,  
Docket No. ER01-270-000**

Dear Secretary Boergers:

Enclosed for filing in the above-captioned proceeding are an original and fourteen copies of the Motion to Intervene of the California Independent System Operator Corporation. Two additional copies of the filing are also enclosed. I would appreciate your stamping the additional copies with the date filed and returning it to the messenger.

Respectfully submitted,

Rebecca A. Blackmer  
Counsel for the California Independent System  
Operator Corporation

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

**Duke Energy Oakland LLC                     )       Docket No. ER01-270-000  
  )**

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

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.214, and the Commission’s November 2, 2000 Notice of Filing, the California Independent System Operator Corporation (“ISO”) hereby moves to intervene in the above-captioned proceeding. In support thereof, the ISO states as follows:

**I.       COMMUNICATIONS**

Please address communications concerning this filing to the following persons:

Roger E. Smith, Senior  
Regulatory Counsel  
Deborah Le Vine, Director of  
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## **II. BACKGROUND**

On October 30, 2000, Duke Energy Oakland LLC (“DEO”) tendered for filing, pursuant to Section 205 of the Federal Power Act, a revised copy of its Must-Run Rate Schedule, which governs the rates, terms, and conditions of service provided to the ISO by DEO. The purpose of this filing is to amend Section 12 of DEO’s Must-Run Rate Schedule to reflect Contract Service Limits for the year beginning January 1, 2001, and to amend Schedule B of DEO’s Must-Run Rate Schedule to reflect the Hourly Availability Rate, Hourly Penalty Rate, and Target Availability Hours for the year beginning January 1, 2001.

## **III. 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 a grid comprising the transmission systems of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company, as well as for the coordination of the competitive electricity market in California. As the operator of this grid, the ISO believes that it has a unique interest in any Commission proceeding concerning Must-Run service provided to the ISO.

Upon review of the changes proposed by DEO to its Must-Run Rate Schedule, the ISO discovered several errors with respect to the calculations provided and reported these errors to DEO. DEO acknowledged these errors, and provided the ISO with updated figures that the ISO found acceptable. It is the ISO’s understanding that DEO plans to re-submit its Must-Run Rate Schedule with the appropriate figures. Assuming that DEO does so, the ISO has

no substantive issues that it wishes to raise at the present time but reserves the right to do so should DEO fail to submit the corrected calculations. The ISO also reserves the right to file supplemental comments if warranted.

#### **IV. CONCLUSION**

For the foregoing reasons, the ISO respectfully requests that the Commission permit it to intervene, and that it be accorded full party status in this proceeding.

Respectfully submitted,

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Counsel for the California Independent  
System Operator Corporation

Date: November 20, 2000

## **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 this proceeding.

Dated at Washington, DC, on this 20<sup>th</sup> day of November, 2000.

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