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December 29, 2003

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

**Re: City of Vernon, California  
Docket No. EL04-34-000**

Dear Secretary Salas:

Enclosed for filing are one original and fourteen copies of the Motion to Intervene and Comments of the California Independent System Operator Corporation, submitted in the above-captioned 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.

Sincerely,



David B. Rubin  
Bradley R. Miliauskas

Counsel for the California  
Independent System Operator  
Corporation

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

**City of Vernon, California**

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**Docket No. EL04-34-000**

**MOTION TO INTERVENE AND COMMENTS 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 December 11, 2003 Notice of Filing, the California Independent System Operator Corporation ("ISO")<sup>1</sup> hereby moves to intervene and provides comments in the captioned proceeding. In support thereof, the ISO states as follows:

**I. COMMUNICATIONS**

Please address communications concerning this filing to the following persons:

Anthony J. Ivancovich  
Senior Regulatory Counsel  
Deborah A. Le Vine\*  
Director of Contracts  
The California Independent  
System Operator Corporation  
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<sup>1</sup> Capitalized terms not otherwise defined herein are used in the sense given in the Master Definitions Supplement, Appendix A to the ISO Tariff, as filed August 15, 1997, and subsequent revised.

\* 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).<sup>2</sup>

## **II. BACKGROUND**

As stated in the December 11, 2003 Notice of Filing, on December 8, 2003, the City of Vernon, California ("Vernon") submitted to the Commission the annual update to its Transmission Revenue Balancing Account Adjustment ("TRBAA") and to Appendix I of its Transmission Owner Tariff ("TO Tariff") to reflect that update. The Notice of Filing stated that, pursuant to Paragraph 1.4 of the Settlement approved in Docket No. EL02-103, 102 FERC ¶ 61,141 (Feb. 5, 2003) ("Settlement"), Vernon was providing to the ISO, on a confidential basis for ISO review and verification, a volume of certain confidential data that Vernon was also submitting to the Commission on a confidential basis under 18 C.F.R. § 388.112 (along with non-confidential, redacted versions of the data). Vernon has requested an effective date for its filing of January 1, 2004.

## **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 an electricity transmission grid comprising the transmission systems of San Diego Gas & Electric Company, Southern California Edison Company, Pacific Gas and Electric Company, and the Cities of Vernon, Anaheim, Azusa, Banning, and

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<sup>2</sup> In addition to Mr. Ivancovich and Mr. Rubin, the ISO respectfully requests that Ms. Le Vine be included on the Official Service List. Mr. Ivancovich and Ms. Le Vine work in separate buildings and it would be of significant assistance to the ISO if both were included on the list.

Riverside, California, as well as for the coordination of the competitive electricity market in California. As the operator of the grid, the ISO believes that it has a unique interest in any Commission proceeding concerning the filing described above, which involves the participation of Vernon in the ISO as a Participating TO. Accordingly, the ISO requests that it be permitted to intervene herein with full rights as a party.

#### **IV. COMMENTS**


The ISO appreciates Vernon's providing the confidential information described above for the ISO's review and verification. The ISO notes that Section 1.4 of the Agreement states in relevant part that "Vernon will submit simultaneously all such data on a confidential basis in unredacted form to the CAISO and will seek to obtain from the CAISO a declaration within ten business days of its TRBAA update filing stating that the data supporting Vernon's recorded Net FTR Revenue are accurate."

The ISO has conducted its verification calculations, and has determined that it cannot validate the Net FTR Revenue data provided by Vernon, because there was an error in the amount of \$13.03 for one hour of a trade date. The ISO will contact Vernon to provide specifics. If Vernon corrects this error, the ISO believes it can then validate the Net FTR Revenue data.

**V. CONCLUSION**

Wherefore, 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,



David B. Rubin  
Bradley R. Miliauskas  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007

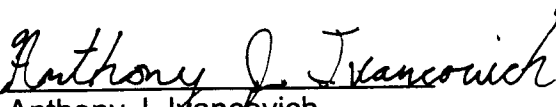
Counsel for the California Independent  
System Operator Corporation

Date: December 29, 2003

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the service list compiled by the Secretary in the above-captioned proceeding.

Dated at Folsom, California this 29<sup>th</sup> day of December, 2003.

 <sup>BRM</sup>  
Anthony J. Francovich