

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

California Independent System)	Docket Nos. ER09-556-___,
Operator Corporation)	ER08-367-___,
)	and ER06-615-___

**MOTION OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR
CORPORATION TO MODIFY EFFECTIVE DATE OF
SIMPLIFIED RAMPING TARIFF PROVISIONS AND FOR EXPEDITED
ANSWERING PERIOD**

The California Independent System Operator Corporation (“ISO”) hereby files this motion to postpone by one week, from November 5 to November 12, 2009, the effective date of the revisions to the ISO tariff to implement simplified ramping.¹ As explained below, this postponement is necessary so that the ISO has sufficient time to ensure that it has fully resolved an apparently minor inconsistency it has observed in the past day while testing the software modifications needed to implement simplified ramping. As further explained below, a fix has been delivered that will address this narrow inconsistency, but the ISO has concluded that it is advisable to perform some additional testing to prepare for a successful deployment of the simplified ramping feature. The ISO also respectfully requests that the Commission establish an expedited time period of two business days for parties to file any answers to this motion, in order

¹ The ISO submits this motion pursuant to Rules 212 and 2008(a) of the Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.2008(a). Capitalized terms not otherwise defined herein have the meanings set forth in the Master Definitions Supplement, Appendix A to the ISO tariff.

to allow sufficient time for the Commission to rule on this motion prior to November 12.

I. Background

The tariff revisions concerning simplified ramping (collectively, “Simplified Ramping Tariff Provisions”) are contained in Sections 34.5(10), 34.15.1(c), and 34.15.5 of the ISO tariff. The Commission has accepted the Simplified Ramping Tariff Provisions with an effective date of November 5, 2009.²

On October 15, 2009, the ISO filed an informational report which explained that, while the software modifications needed to put simplified ramping into effect were then on schedule to be deployed by November 5, the ISO would promptly submit an appropriate filing to the Commission should any event occur that led the ISO to believe the simplified ramping software would not be ready by November 5 and therefore that the Simplified Ramping Tariff Provisions could not be implemented by that date. On October 28, 2009, the ISO filed clean tariff sheets reflecting an effective date of November 5 for the Simplified Ramping Tariff Provisions. In the October 28 filing, the ISO also reiterated that, if any unexpected difficulties arose with the implementation of simplified ramping by November 5, the ISO would promptly submit an appropriate filing to the Commission.

Since the submittal of the October 28 filing, the ISO has continued to test the software required to implement the simplified ramping functionality. On November 3, while performing an exploratory production run of the Day-Ahead

² See *California Independent System Operator Corp.*, 126 FERC 61,262, at P 102 (2009) (“March 24 Order”); Commission Letter Order, Docket Nos. ER09-556-002, *et al.* (Oct. 6, 2009).

Market using the new functionality, the ISO observed an inconsistency between the scheduling run and the pricing run in the Day-Ahead Market for one resource with a Regulation Down award and a maximum megawatt limit applicable to a derate reflected in the Scheduling and Logging System for the ISO (“SLIC”).³

After conducting an analysis of the root cause of the inconsistency and a review of other testing results, the ISO has determined that the inconsistency appears to be limited to a narrow set of conditions and does not detract from the broader quality of results observed during testing and market simulation. A software patch has been applied to resolve the issue. The ISO believes, however, that it is necessary to take a week to perform additional regression testing in order to validate its analysis and thus ensure that the deployment of the simplified ramping software (assuming no further issues arise) will be successful.

II. Request to Modify the Effective Date of the Simplified Ramping Tariff Provisions

As discussed above, due to the need to perform a week of additional testing in order to ensure that the software issue occurring on November 3 has been fully resolved, it will not be possible for the ISO to deploy the simplified ramping software functionality by November 5. Therefore, the ISO requests that the Commission permit the ISO to modify the effective date of the Simplified Ramping Tariff Provisions, allowing these tariff revisions to become effective on November 12, 2009.

³ The ISO performs two runs in the Day-Ahead Market – a scheduling run and a pricing run – to determine market clearing schedules and prices.

This ISO request will in no way detract from the justness and reasonableness of the currently effective ISO tariff language that the Simplified Ramping Tariff Provisions would modify. As the Commission explained in the March 24 Order, although the Simplified Ramping Tariff Provisions are just and reasonable, deferring the effective date of the Simplified Ramping Tariff Provisions does not undermine the “continued justness and reasonableness” of the current tariff language.⁴ All tariff language that the Commission accepts as just and reasonable continues to be so absent a later Commission finding, in a proceeding established pursuant to Section 206 of the Federal Power Act, that the language has become unjust and unreasonable.⁵ Therefore, the delay in the implementation of simplified ramping will not have an adverse impact on market participants.

Following Commission approval of the November 12, 2009, effective date, the ISO will submit a compliance filing with revised tariff sheets that reflect that modified effective date.

Although the ISO is confident that November 12 is an attainable implementation date for the Simplified Ramping Tariff Provisions based on the current testing status, the potential remains for further issues in the testing and variance correction process of the simplified ramping software. The ISO will promptly submit an appropriate filing to the Commission if, anytime between now and November 12, any event occurs that leads the ISO to believe that the simplified ramping software will not be ready to be deployed by November 12

⁴ March 24 Order at P 102.

⁵ See Section 206(a) of the Federal Power Act, 16 U.S.C. § 824e(a); *California Independent System Operator Corp.*, 121 FERC ¶ 61,281, at P 44 (2007).

and therefore that the Simplified Ramping Tariff Provisions cannot be implemented by that date.

III. Request to Expedite the Time Period for Answering this Motion

The Commission's rules require that any answer to a motion must be made within fifteen days after the motion is filed, unless the Commission otherwise orders.⁶ The ISO respectfully requests that the Commission establish an expedited time period of two business days for parties to file any answers to the instant motion. This expedited time period will permit the Commission to review any answers in enough time for it to rule on the motion by November 12. The ISO has served the instant motion on all parties in this proceeding by e-mail (where electronic service information has been provided) and has also posted a copy of this motion on the ISO's website. This approach will allow sufficient time for parties to file any answers regarding the modification to the effective date that the ISO requests within the two business day comment period requested by the ISO. Therefore, the expedited answering period is appropriate.

⁶ Rule 213(d)(1) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(d)(1).

IV. Conclusion

For the reasons explained above, the Commission should grant the modification to the effective date for the Simplified Ramping Tariff Provisions, and the expedited time period for any answers to this motion, as requested by the ISO.

Respectfully submitted,

Sidney M. Davies
Assistant General Counsel
The California Independent
System Operator Corporation
151 Blue Ravine Road
Folsom, CA 95630
Tel: (916) 351-4400
Fax: (916) 608-7296

/s/ Bradley R. Miliauskas
Sean A. Atkins
Bradley R. Miliauskas
Alston & Bird LLP
The Atlantic Building
950 F Street, NW
Washington, DC 20004
Tel: (202) 756-3300
Fax: (202) 654-4875

Attorneys for the California Independent System Operator Corporation

Dated: November 4, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon the parties listed on the official service list in the captioned proceeding, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C. this 4th day of November, 2009.

/s/ Bradley R. Miliauskas
Bradley R. Miliauskas