



California ISO

California Independent System Operator Corporation

October 1, 2020

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Re: California Independent System Operator Corporation
Errata Filing – Waiver Request
Docket No. ER20-1890-000**

Dear Secretary Bose:

On September 29, 2020, the California Independent System Operator Corporation (CAISO) filed a request in this proceeding to delay the effectiveness of the tariff amendments approved in the Commission's September 17 order issued in this proceeding. The CAISO requested a delay from October 1, 2020, to January 1, 2021. The CAISO's waiver request included a typographical error. A sentence was unintentionally included. A clean and marked version of the corrected waiver are included. The CAISO has served this filing on the same entities that were served the original filing.

The Honorable Kimberly D. Bose
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Page 2

III. Conclusion

Please contact the undersigned if you have any questions regarding the foregoing.

Respectfully submitted,

/s/ David S. Zlotlow
Roger E. Collanton
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Anna A. McKenna
Assistant General Counsel
David S. Zlotlow
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Operator Corporation
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Counsel for the California Independent System
Operator Corporation

Clean Version

Petition for Limited Tariff Waiver of

the California Independent System Operator Corporation

October 1, 2020

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

California Independent System)
Operator Corporation) Docket No. ER20-1890-___

**PETITION FOR LIMITED TARIFF WAIVER OF THE CALIFORNIA
INDEPENDENT SYSTEM OPERATOR CORPORATION**

The California Independent System Operator Corporation (CAISO) respectfully requests a temporary suspension of the effectiveness, or limited waiver, of the tariff revisions accepted in the order issued in this proceeding on September 17, 2020.¹ The provisions governed by the September 17 Order have an October 1, 2020, effective date. Due to implementation issues identified after the CAISO's initial May 22, 2020, filing in this proceeding, the CAISO cannot enact the provisions on October 1, 2020. The CAISO requests a temporary suspension of the effectiveness, or limited waiver, of the tariff revisions accepted in the September 17 Order until January 1, 2021.

I. Background

On May 22, 2020, the CAISO filed tariff amendments in this proceeding to enhance its market rules regarding the treatment of energy transactions

¹ *Cal. Indep. Sys. Operator Corp.*, 172 FERC ¶ 61,234 (2020) (September 17 Order). The CAISO submits this petition for limited waiver pursuant to Rule 207 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.207. Capitalized terms not otherwise defined herein have the meanings set forth in the CAISO tariff.

scheduled at interties.² The September 17 Order accepted the filed amendments with the requested October 1, 2020, effective date, subject to a compliance filing.³

After submitting its May 22 filing, the CAISO determined that the planned October 1 implementation was no longer feasible. Specifically, the CAISO experienced delays in integrating the needed changes to the CAISO's systems and those of the vendor that administers the E-tagging processes. Those issues were not resolved in time for the CAISO and its market participants to complete the scheduled market simulation activities. Rather than rushing to production, the CAISO determined that deferring implementation was a more prudent approach. The CAISO informed its stakeholders of this decision on its July 14 Release User Group meeting.⁴ At that point, the CAISO anticipated a January 1, 2021, implementation date.

II. Petition for Waiver

Good cause exists for the Commission to grant a limited waiver to suspend the effectiveness until January 1, 2021, of the tariff revisions accepted in the September 17 Order. The Commission previously has granted requests

² *Cal. Indep. Sys. Operator Corp.*, Transmittal Letter, FERC Docket No. ER20-1890 (May 22, 2020).

³ The tariff changes ordered are being submitted in a separate contemporaneous compliance filing. The tariff amendments submitted on compliance have an effective date of January 1, 2021, to be consistent with the change in effective date requested through this waiver.

⁴ The presentation from that meeting is available at: http://www.caiso.com/Documents/Agenda-ReleaseUserGroupWebConferenceJul14_2020.pdf.

for tariff waivers where: (1) the applicant acted in good faith; (2) the waiver was of limited scope; (3) the waiver addressed a concrete problem; and (4) the waiver did not have undesirable consequences, such as harming third parties.⁵ This waiver petition meets all four conditions.

The CAISO has acted in good faith because it notified its affected stakeholders once it knew that the October 1 date was no longer feasible. The CAISO did not file with the Commission at that point because it was not yet certain if the new planned implementation date of January 1 would slip further. The waiver is of limited scope in that it will apply only for three months. The waiver will also remedy the concrete problem that the CAISO cannot implement the tariff revisions on October 1 without risking implementation of potentially flawed systems. The Commission has recognized that it is reasonable to postpone the effectiveness of tariff revisions where, as in this proceeding, it is infeasible to implement the tariff revisions on their intended effective date because the CAISO cannot deploy the necessary software until a later date.⁶ Further, the waiver will not have undesirable consequences because the CAISO can continue to operate using its existing intertie scheduling practices in the interim.

⁵ See, e.g., *Cal. Indep. Sys. Operator Corp.*, 158 FERC ¶ 61,072, at P 5 (2017); *N.Y. Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,061, at P 19 (2014); *PJM Interconnection, L.L.C.*, 146 FERC ¶ 61,041, at P 5 (2014); *ISO New England, Inc.*, 134 FERC ¶ 61,182, at P 8 (2011).

⁶ See, e.g., *Cal. Indep. Sys. Operator Corp.*, 165 FERC ¶ 61,038 (2018); *Cal. Indep. Sys. Operator Corp.*, 141 FERC ¶ 61,184 (2012).

Therefore, good cause exists to grant the CAISO's request for limited waiver of the current effective date of October 1, 2020, for the tariff revisions covered by this request.

III. Conclusion

The Commission should find that good cause exists to grant this request for limited waiver to permit a delay in implementing the tariff provisions approved in the September 17 Order.

Respectfully submitted,

By: /s/ David S. Zlotlow

Roger E. Collanton

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Anna A. McKenna

Assistant General Counsel

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Counsel for the California Independent
System Operator Corporation

Dated: September 29, 2020

CERTIFICATE OF SERVICE

I certify that I have served the foregoing document upon the parties listed on the official service list in the captioned proceedings, 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 Folsom, California this 29th day of September, 2020.

/s/ Jacqueline Meredith
Jacqueline Meredith

Marked Version

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the California Independent System Operator Corporation

October 1, 2020

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The CAISO has acted in good faith because it notified its affected stakeholders once it knew that the October 1 date was no longer feasible. ~~The CAISO promptly filed this request upon making that determination.~~ The CAISO did not file with the Commission at that point because it was not yet certain if the new planned implementation date of January 1 would slip further. The waiver is of limited scope in that it will apply only for three months. The waiver will also remedy the concrete problem that the CAISO cannot implement the tariff revisions on October 1 without risking implementation of potentially flawed systems. The Commission has recognized that it is reasonable to postpone the effectiveness of tariff revisions where, as in this proceeding, it is infeasible to implement the tariff revisions on their intended effective date because the CAISO cannot deploy the necessary software until a later date.⁶ Further, the waiver will not have undesirable consequences because the CAISO can continue to operate using its existing intertie scheduling practices in the interim.

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/s/ Jacqueline Meredith
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