

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

Duke Energy South Bay, LLC
Docket No. ER03-117-001
May 21, 2003

Dickstein Shapiro Morin
& Oshinsky LLP
2101 L Street, N.W.
Washington, D.C. 20037-1526

Attention: Mark L. Perlis, Esquire

Reference: First Revised Rate Schedule No. 2¹

Dear Mr. Perlis:

On March 31, 2003, you filed, on behalf of Duke Energy South Bay, LLC (DESB), a revised Reliability Must Run Agreement with the California Independent System Operator Corporation (Agreement). The RMR Agreement was filed in compliance with a Commission order in Duke Energy South Bay LLC, 102 FERC ¶ 61,087 (2003) directing DESB to file the Agreement in compliance with Order No. 614, 18 C.F.R. 35.9 (2003). The Agreement is accepted as being in compliance with that order, effective January 1, 2003.

Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

This action is taken pursuant to authority delegated to the Director, Division of Tariffs and Market Development - West, under 18 C.F.R. § 375.307. This order

¹Please note corrected designation.

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constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

John T. Carlson
Acting Director, Division of Tariffs
and Market Development - West