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July 25, 2003

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

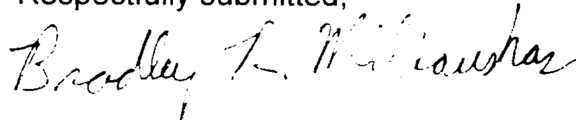
Re: California Independent System Operator Corporation
Docket Nos. EL00-111-006 and EL01-84-002

Dear Secretary Salas:

Enclosed please find the original and fourteen copies of the Response of the California Independent System Operator Corporation in Opposition to the Motion to Intervene of IDACORP Energy L.P., Request for Leave to Respond to IDACORP's Protest, and Response to Protest, submitted in the captioned docket.

Two additional copies are provided to be date/time-stamped and returned to our messenger. Thank you for your attention in this matter.

Respectfully submitted,



J. Phillip Jordan
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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Cities of Anaheim, Azusa, Banning, Colton, and Riverside, California **v.** **California Independent System Operator Corporation**	)))))))	**Docket No. EL00-111-006**
Salt River Project Agricultural Improvement and Power District **v.** **California Independent System Operator Corporation**	)))))))	**Docket No. EL01-84-002**

RESPONSE OF
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION IN OPPOSITION TO MOTION TO INTERVENE OF IDACORP ENERGY L.P., REQUEST FOR LEAVE TO RESPOND TO IDACORP'S PROTEST, AND RESPONSE TO PROTEST

I. INTRODUCTION AND SUMMARY

On June 10, 2003, in Docket Nos. EL00-111-002, EL01-84-000, and ER01-607-001, the California Independent System Operator Corporation ("ISO")[1] filed its report ("Compliance Filing") in compliance with the Commission's March 12, 2003 Order in those dockets, *Cities of Anaheim, Azusa, Banning, Colton, and Riverside, California, et al. v. California Independent System Operator Corporation*, 102 FERC ¶ 61,274 ("March 12 Order").[2] The Compliance Filing consisted of a transmittal letter and a CD-ROM containing detailed data supporting the discussion in the transmittal letter.

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[1] Capitalized terms not otherwise defined herein shall have the meaning set forth in the Master Definitions Supplement, Appendix A to the ISO Tariff.

[2] The March 12 Order was also issued in Docket No. ER01-607, the docket in which Amendment No. 33 to the ISO Tariff was accepted for filing, because the March 12 Order granted the ISO's request

In response to the Commission's notice of filing permitting motions to intervene, comments, and protests concerning the Compliance Filing, only three parties submitted filings and of those, only two offered substantive comment: Pacific Gas and Electric Company supported the Compliance Filing, while IDACORP Energy L.P. ("IDACORP") sought to intervene and to protest the Compliance Filing.[3] Pursuant to Rules 212 and 213 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.213, the ISO hereby opposes IDACORP's motion to intervene, requests leave to file a response to IDACORP's protest, and files its response to IDACORP's protest.[4]

IDACORP previously sought to intervene in a motion submitted on August 20, 2002, well over a year out of time in these dockets for the purpose of seeking refunds from the ISO. The Commission denied the motion to intervene, on the ground that "[t]o permit [IDACORP's] late intervention after issuance of several orders . . . would result in unjustified delay and disruption of the proceeding and undue burden on other parties." March 12 Order at P 37. While IDACORP's most recent motion to intervene is ostensibly in response to the Commission's indication it would entertain new motions to intervene on the Compliance Filing, in substance the IDACORP Filing is yet another attempt to obtain refunds – it clearly asks that the ISO be required to pay "the refunds that it was originally directed to pay." IDACORP Filing at 12. The grounds on which it

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for clarification in that docket that "the cost allocation elements of Amendment No. 33 properly went into effect on December 12, 2000." March 12 Order at P 45 and ordering paragraph (E). However, the proceedings in Docket No. ER01-607 are not relevant to the issues at hand.

[3] Puget Sound Energy, Inc filed a non-substantive motion to intervene.

[4] The present filing will refer to the entirety of IDACORP's pleading as the "IDACORP Filing." The ISO seeks waiver of Rule 213 (18 C.F.R § 385.213) to permit it to make this response to IDACORP's protest. Good cause for this waiver exists because the response will aid the Commission in understanding the issues in the proceeding, provide additional information to assist the Commission in the decision-making process, and help to ensure a complete and accurate record in this case. *See, e.g.*, *Entergy Services, Inc.*, 101 FERC ¶ 61,289, at 62,163 (2002); *Duke Energy Corporation*, 100 FERC ¶ 61,251, at 61,886 (2002); *Delmarva Power & Light Company*, 93 FERC ¶ 61,098, at 61,259 (2000).

takes issue with the Compliance Filing are, as will be shown below, specious, and are in reality attempts by IDACORP to raise enough dust to confuse matters so that it can, again, urge refunds. That IDACORP's complaints are groundless and its renewed effort to obtain refunds futile are shown by the facts that (i) the Commission already held, in the March 12 Order, that it cannot order refunds if the amounts actually authorized to be charged under Section 11.2.9 of the ISO Tariff do not exceed the ceiling in Section 11.2.9.1 of the Tariff, (ii) the Compliance Filing shows that those amounts never exceeded the ceiling, and in fact were all negative amounts, and (iii) *no other Scheduling Coordinator, not even either of the parties that originally brought these complaints and not even any of the many parties with much more money at stake than IDACORP,*[5] *has found any fault with the Compliance Filing.*

The ISO believes IDACORP's most recent motion to intervene is a subterfuge to end-run the Commission's rejection of its previous effort to intervene, and urges the Commission to deny the motion.[6] Even if the Commission were to consider IDACORP's most recent motion to be timely, rather than as merely an untimely attempt to resuscitate its previous failed effort, the Commission should reject the most recent motion on the grounds that good cause does not exist to grant the motion. Where, as here, a response to such a motion is filed, the movant becomes a party only if good

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[5] As IDACORP itself states, the Compliance Filing shows that approximately $6.2 million was charged to IDACORP under Charge Type 1010 but not pursuant to Section 11.2.9, during the relevant time period. IDACORP Filing at 6. (Not all of that amount, of course, would have been above a $0.095/MWh ceiling, even if the ceiling applied to that amount.) The Compliance Filing shows that numerous other Scheduling Coordinators were charged much more.

[6] If the Commission permits IDACORP to intervene, the ISO urges the Commission to make clear that the intervention is effective only for the purpose of protesting the Compliance Filing, and does not make IDACORP a party to the neutrality proceeding in Docket Nos. EL00-111 and EL01-84 for any other purpose. For example, since IDACORP previously was denied intervention prior to or at the time of the March 12 Order, IDACORP must not be permitted to obtain party status such that it could seek judicial review of that Order.

cause, such as the early stage of the proceeding and the absence of any undue prejudice or delay, shows that the motion should be granted.[7]

In any event, as explained below, IDACORP's arguments lack merit and the Commission should reject IDACORP's requests for relief even if it permits the intervention. IDACORP makes two requests for relief: that the Commission order the ISO to pay "the refunds that it was originally directed to pay" and that the Commission reject the Compliance Filing. IDACORP Filing at 12. The Commission should deny the first request because the Compliance Filing satisfies the requirements of the March 12 Order. The Commission should deny IDACORP's second request because the Compliance Filing shows that no refunds are due under the terms of the March 12 Order, and ordering refunds would be an inappropriate remedy for any technical defects in the Compliance Filing (of which there are none, in any event). Lastly, IDACORP is incorrect in its assertion that the ISO's treatment of regulating Energy during the relevant time period does not conform with the terms of the ISO Tariff.

II. RESPONSE

A. The Compliance Filing Fully Complies with the March 12 Order

IDACORP requests that the Commission reject the Compliance Filing because the ISO has purportedly failed to follow the directives in the March 12 Order. IDACORP Filing at 5, 12. IDACORP states that the Commission directed the ISO to

(1) separate "true" neutrality adjustment charges authorized under Section 11.2.9 from charges previously invoiced under Charge Type 1010 but authorized other than under Section 11.2.9;

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7 *See* Rule 214(c)(2), 18 C.F.R. § 385.214(c)(2) (2003); *Philbro Inc.*, 81 FERC ¶ 61,262, at 62,296

(2) report all such separated amounts on an hour-by-hour basis; and

(3) apply the $0.095/MWh limitation to the recalculated neutrality adjustment charges on an hour-by-hour basis.

IDACORP Filing at 12. As explained below, the ISO did all three of these things in the Compliance Filing. Therefore, the Commission should deny IDACORP's request and accept the Compliance Filing.[8]

1. Separation of "True" Neutrality Adjustment Charges Under Section 11.2.9 from Charges Other than Under Section 11.2.9

IDACORP is incorrect in asserting that the ISO "fails to explain the methodology it used to determine that [the charges not described in Section 11.2.9] are not 'true' neutrality adjustment charges." IDACORP Filing at 6. The ISO explained in detail in the Compliance Filing its methodology for separating the costs appropriately credited or debited under Section 11.2.9 from the other amounts that previously had been invoiced under Charge Type 1010. First, the ISO determined the costs under Section 11.2.9(a) – (e) that had a calculable dollar value other than zero. The only such costs were those under Section 11.2.9(c), which concerns the rounding of amounts to reach an accounting trial balance of zero.[9] The amounts under Section 11.2.9(c) were uniformly negative during the relevant time period. Transmittal Letter at 3-4. Except for these

(1997); *Northeast Utilities Service Company*, 47 FERC ¶ 61,375, at 62,283 (1989).

[8] Even assuming *arguendo* that the ISO did only a portion of the three things IDACORP lists, the appropriate action for the Commission to take would not be to reject the Compliance Filing, but rather to accept the portion of the Compliance Filing that meets the requirements of the March 12 Order, and to require a further filing by the ISO. *See California Independent System Operator Corporation*, 91 FERC ¶ 61,341 (2000) (order accepting portion of compliance filing concerning Amendment No. 25 to the ISO Tariff, and requiring additional compliance filing).

[9] IDACORP argues that the ISO was incorrect in stating in the Compliance Filing transmittal letter that the amounts under Section 11.2.9(d) were zero. The ISO addresses this argument in Section II.C, *infra*.

Section 11.2.9(c) amounts, all other amounts that previously had been included in Charge Type 1010 were, in fact, recoverable other than under Section 11.2.9. *Id.* at 5-6.[10] The Compliance Filing CD-ROM included in the Compliance Filing showed the results of applying this methodology for separating the two types of amounts (the costs credited or debited under Section 11.2.9 and the costs recoverable other than under Section 11.2.9).

IDACORP asserts that neither it nor any other affected Scheduling Coordinator "is able to confirm" that the ISO has separated the costs credited or debited pursuant to Section 11.2.9 from the costs recoverable other than under Section 11.2.9. IDACORP Filing at 6. Evidence of the accuracy of the ISO's separation of charges is found in the fact that *only IDACORP* submitted a filing critical of the Compliance Filing; no other "affected Scheduling Coordinator," including the complainants in the proceeding, appears to believe it lacks the ability to confirm the accuracy of the Compliance Filing to the extent it feels a need to do so.[11]

2. Reporting of All Separated Amounts on an Hour-to-Hour Basis

a. Costs Credited or Debited Pursuant to Section 11.2.9(c)

In the Compliance Filing, the ISO explained its methodology for calculating the costs credited or debited pursuant to Section 11.2.9(c), for each Scheduling Coordinator, on an hour-by-hour basis during the relevant time period. After separating out these costs as described in Section II.A.1, *supra*, the ISO followed three sequential

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[10] Costs credited or debited pursuant to Section 11.2.9(c) were included in Charge Type 1999 during the relevant time period. Transmittal Letter at 3 n.4.Prospectively, the ISO will include such costs in Charge Type 1010. Transmittal Letter at 7.

[11] IDACORP claims that the Commission is likewise unable to confirm the ISO's separation of charges. IDACORP Filing at 6. The ISO notes that the version of the Compliance Filing provided to the Commission includes the information concerning all of the Scheduling Coordinators, i.e., the information

steps for each month during the relevant time period: (1) the ISO determined the total amount of Section 11.2.9(c) costs for the entire market for the month; (2) the ISO then allocated the total amount to the Scheduling Coordinators pro rata based on their monthly metered Demands (which are measured in MW); (3) and the ISO then divided each Scheduling Coordinator's pro rata share by the number of hours in the month to determine the hourly costs credited or debited for each Scheduling Coordinator. Transmittal Letter at 2-5.[12]

The ISO's Settlement system provides no method for determining the hourly costs credited or debited for each Scheduling Coordinator that differs from the method employed in the Compliance Filing. *See id.* Therefore, contrary to the assertions of IDACORP, the ISO has not ignored the Commission's directive to calculate the amounts hourly and "picked a period of its own choosing instead (here, monthly)." IDACORP Filing at 7-8. The ISO had no option, given its Settlement process and its Tariff, except to first calculate the amounts on a monthly basis for the entire market, and then move through the steps to calculate them for each Scheduling Coordinator on an hourly basis. The March 12 Order (at PP 42 and 46) directed the ISO to recalculate the costs credited or debited pursuant to Section 11.2.9 on an hourly basis but did not require the ISO to violate its Settlement process. Thus, the ISO calculated the costs on an hourly basis *in the manner permitted by its Settlement process and its Tariff:* once the monthly amounts were determined pursuant to steps (1) and (2), the hourly amounts could be determined pursuant to step (3).

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concerning IDACORP as well as the vast majority of Scheduling Coordinators that appear to be able to confirm the information in the Compliance Filing.

[12] The rest of the steps taken by the ISO, as described in the Compliance Filing, are discussed in Section II.A.3, *infra*.

Further, IDACORP is simply incorrect in asserting that the Commission directed the ISO to calculate the charges per megawatt-hour. IDACORP Filing at 8. The Commission directed the ISO to "recalculate each customer's charges for each hour." March 12 Order at P 42. In providing the amounts of charges for each Scheduling Coordinator in each hour as described in step (3), the ISO has complied with the March 12 Order.[13] Thus, IDACORP is incorrect in arguing that the ISO's determination "is an obvious error and demonstrates that the CAISO's calculations cannot be used for any purpose." IDACORP Filing at 8. The method the ISO used met the requirements of the March 12 Order and is the *only* possible and correct method under the ISO Tariff; it is not an "error."

If IDACORP wishes to determine the charges per megawatt-hour that apply to itself, it can easily do so without the ISO's having to commit valuable resources to providing this information. The Compliance Filing provided IDACORP with its charges per hour for each hour during the relevant period. In order to determine the charge per megawatt-hour, all IDACORP has to do is multiply the charge per hour by a fraction consisting of one over its own metered Demand measured in megawatts, thus:

$$\frac{\text{Charge (\$)}}{\text{Hour (h)}} \times \frac{1}{\text{Metered Demand (MW)}} = \frac{\text{Charge (\$)}}{\text{Megawatt-hour (MWh)}}$$

IDACORP already knows its own metered Demand for each hour. All Scheduling Coordinators (including IDACORP) are obligated to provide their metered Demand to

[13] To be sure, the Commission also directed the ISO to determine whether its recalculation showed that any charges under Section 11.2.9 exceeded the hourly limitation of $0.095/MWh. March 12 Order at PP 42, 47. As explained in Section II.A.3, *infra*, the ISO met this requirement, and determined all such charges were below the $0.095/MWh limitation and indeed were uniformly negative.

the ISO, through the ISO's Revenue Meter Data Acquisition and Processing System ("MDAS"). *See* ISO Tariff, § 10.6; ISO Metering Protocol, § 2.3.

b. Amounts Recoverable Other than Under Section 11.2.9

IDACORP argues that the March 12 Order directed that the Compliance Filing show the separate amounts of each of the charges recoverable other than under Section 11.2.9. IDACORP Filing at 6. In making this argument, IDACORP misunderstands the Commission's direction to the ISO and the rationale behind it. The March 12 Order nowhere stated that it required a-charge-by-charge listing of all costs recoverable other than under Section 11.2.9. Further, the March 12 Order lumped all such non-Section 11.2.9 costs together in directing the ISO to "recalculate neutrality adjustment charges excluding OOM charges *and other charges not enumerated in section 11.2.9.*" March 12 Order at P 46 (emphasis added).

With regard to charges recoverable other than under Section 11.2.9, the ISO provided in the Charge Type 1010 Worksheet (on the Compliance Filing CD-ROM) the hourly amounts of these charges for each Scheduling Coordinator for the relevant time period. *See* Transmittal Letter at 5-6. Because no refunds were owed, and the total amounts on any revised invoices would be the same as the total amounts shown on the original invoices, the ISO believed it would be a pointless exercise to "break out" the separate costs recoverable other than under Section 11.2.9 for each Scheduling Coordinator for each hour. *Id.* at 6-7. The ISO stated that it did not intend to engage in such an exercise unless the Commission so ordered. *Id.* at 7.

The ISO has subsequently determined that breaking out the separate costs recoverable other than under Section 11.2.9 would require the individual examination, by personnel rather than through a fully automated process, of approximately

12,000,000 records for the time period from June 1, 2000 through December 31, 2000. The ISO would then have to conduct a manual re-run based on the results of its examination. The entire process would take at least a year of concentrated effort by several persons. On a prospective basis, the ISO intends to break out the costs recoverable other than under Section 11.2.9. *See* Transmittal Letter at 7. However, on a retrospective basis, the ISO reiterates that it would serve no purpose to require the ISO to expend time and resources to conduct such an exercise, in light of the other important matters that require the ISO's attention.

The ISO respectfully suggests that the main reason the Commission directed the ISO to provide the Compliance Filing was to determine whether credits or debits appropriately charged under Section 11.2.9 exceeded the $0.095/MWh neutrality limitation. *See* March 12 Order at ordering paragraph (C) ("The ISO is hereby directed to file a report detailing the recalculated neutrality adjustment charges . . . ."). The ISO has complied with this directive, and has determined that the limitation was not exceeded. Again, IDACORP is alone among the Scheduling Coordinators in believing that the costs recoverable other than under Section 11.2.9 during the relevant time period should be broken out.

IDACORP also expresses confusion about the "three series of data" shown in the Charge Type 1010 Worksheet. IDACORP Filing at 6. IDACORP has no reason to be confused. The ISO provided three such series of data (to use IDACORP's term) to each of the Scheduling Coordinators. IDACORP, by reviewing its own Settlement Statements for the relevant time period, could have readily determined the source and validity of the data. One of the series of data showed the amounts calculated within the

ISO's Settlement system. The other two series reflect manual adjustments made through standard Settlement practices.

3. Application of the $0.095/MWh Limitation to the Recalculated Neutrality Adjustment Charges on an Hour-by-Hour Basis

In addition to the steps described in Section II.A.2.a, *supra*, the ISO conducted two more sequential steps in order to determine whether any refunds were owed to Scheduling Coordinators. The first of these steps was that the ISO examined the amounts of charges per hour under Section 11.2.9(c) as determined in step (3), and found that they were uniformly negative. In light of this finding, it was obvious that there was no possibility of the $0.095/MWh limitation being exceeded with regard to those charges. Then, based on its finding that the $0.095/MWh limitation could not possibly have been exceeded, the ISO determined that it did not need to reassess any amounts to any Scheduling Coordinators, i.e., that no refunds were owed. *See* Transmittal Letter at 5.

The ISO recognizes that the charges per hour are measured using a different unit (dollars per hour) than the unit used to measure the $0.095/MWh limitation (dollars per *megawatt*-hour). As explained in Section II.A.2.a, *supra*, however, the charges per hour can be multiplied by a fraction consisting of one over the amount of metered Demand in order to determine the charges per megawatt-hour. The fact that all of the charges per hour were negative means that, when such charges are multiplied by the fraction described above, the resulting amount of charges per megawatt-hour will also

be negative, and thus below the $0.095/MWh limitation. For this reason, there was no need for the ISO to conduct this multiplication exercise in the Compliance Filing.[14]

B. The Commission Has Already Precluded the Payment of Refunds Requested by IDACORP

IDACORP also requests that the Commission order the ISO "to pay the refunds that it was originally directed to pay in light of its failure to satisfy the requirements of" the March 12 Order. IDACORP Filing at 12. The Commission should deny this request. First, as explained above, the ISO has satisfied the Commission's requirements. Moreover, in making this request, IDACORP ignores the directives in the March 12 Order that:

> while we maintain our finding that the ISO's recovery of neutrality adjustment charges is limited to $0.095/MWh, we clarify that *any other costs assessed under provisions other than section 11.2.9 are not subject to that limit*. Hence, the Commission *cannot* order refunds of any OOM charges on the grounds that they exceeded the neutrality limit, regardless of the period during which they were incurred.

March 12 Order at P 42 (emphasis added). Thus, the hourly limitation of $0.095/MWh contained in Section 11.2.9.1 applies only to costs credited or debited under Section 11.2.9, and the limitation cannot apply to any costs recoverable other than under Section 11.2.9 (e.g., the limitation cannot apply to OOM charges).

As the ISO has explained, the amounts of costs credited or debited under Section 11.2.9 are all below the $0.095/MWh limitation, and indeed are all negative

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[14] As explained in Section II.A.2.a, *supra*, IDACORP (or any other interested Scheduling Coordinator, for that matter) can conduct the exercise if it wishes, though it appears pointless to the ISO. In the Compliance Filing, the ISO stated that the amounts of charges under Section 11.2.9 were negative amounts that were "without exception below the neutrality limitation of $0.095/MWh." Transmittal Letter at 5. Perhaps a more precise way to phrase it would have been to say that each of the uniformly negative amounts of charges under Section 11.2.9(c), when multiplied by a fraction consisting of one over any amount of metered Demand, necessarily results in an amount of charges per megawatt-hour that is below the neutrality limitation of $0.095/MWh. Regardless of how the ISO phrased it, however, the fact is that the charges were necessarily below $0.095/MWh.

amounts. No limitation whatsoever applies to amounts recoverable other than under Section 11.2.9. Therefore, there are no amounts that the ISO can be required to pay as refunds, contrary to IDACORP's request.

C. The ISO's Treatment of Regulating Energy Conforms with the ISO Tariff

The ISO explained in the Compliance Filing that amounts of regulating Energy are an undifferentiable part of the total amounts of Imbalance Energy, and that "[b]ecause these amounts cannot be treated separately, they must be considered to be amounts for Imbalance Energy not falling under Section 11.2.9(d), i.e., the amounts must be assigned a neutrality adjustment value of zero." Transmittal Letter at 3-4. IDACORP argues that the ISO's treatment of charges for regulating Energy is inconsistent with the Tariff. IDACORP Filing at 9-11. IDACORP appears to construe Section 11.2.9(d) as *requiring* the ISO to include regulating Energy under Section 11.2.9. That is incorrect. Section 11.2.9 explains that the ISO is "*authorized* to levy *additional charges or payments as special adjustments* in regard to" the five subsections listed thereafter. (Emphasis added.) Thus, the credits or debits under Section 11.2.9(d) are ones that the ISO may – but is not required to – levy as "special adjustments." Nothing in Section 11.2.9 prohibits the ISO from levying charges for regulating Energy in some manner other than as a special adjustment under that section.

Regulating Energy is a type of Uninstructed Imbalance Energy, which is charged under Section 11.2.4 of the ISO Tariff.[15] During a time period *that began and ended prior to the time period relevant to the present proceeding*, the ISO implemented a

certain special component of the payment for regulating Energy – an "adder" to suppliers' Regulation bids – as part of the ISO's interim Regulation Energy Payment Adjustment ("REPA"). The ISO inserted Section 11.2.9(d) into the Tariff in order to charge for this special component of regulating Energy.[16] When REPA was discontinued, the ISO ceased paying, and thus ceased charging any adder for regulating Energy; since that time, the ISO has not charged any amounts under Section 11.2.9(d).[17] Therefore, for the time period relevant to the present proceeding, the ISO charged all regulating Energy along with other Uninstructed Imbalance Energy under Section 11.2.4 (which section is not subject to any limitation on the amounts that can be charged).

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[15] IDACORP itself notes that "Regulation energy is a form of Uninstructed Imbalance Energy," and for support cites to the ISO Tariff definition of Imbalance Energy. IDACORP Filing at 10.

[16] *See* Amendment No. 8 to the ISO Tariff, Docket No. EC96-19-027 (filed May 19, 1998), at pages 16-21 of Transmittal Letter and pages 2 and 5 of Attachment A. The "payment adjustments for regulating Energy" described in Section 11.2.9(d) are the payment adjustments that reflect the adder to suppliers' Regulation bids. *See id.* at pages 16-21 of Transmittal Letter.

[17] Long before the time period relevant to the present proceeding, the ISO Governing Board took action that suspended indefinitely the payment of the adder under the interim REPA. *See* Amendment No. 14 to the ISO Tariff, Docket No. ER99-1971-000 (filed Mar. 1, 1999), at page 28 of Transmittal Letter.

III. CONCLUSION

For the reasons described above, the Commission should accept the Compliance Filing in its entirety and should deny IDACORP's motion to intervene, or, if it allows intervention, the Commission should deny the relief that IDACORP requests.

Respectfully submitted,

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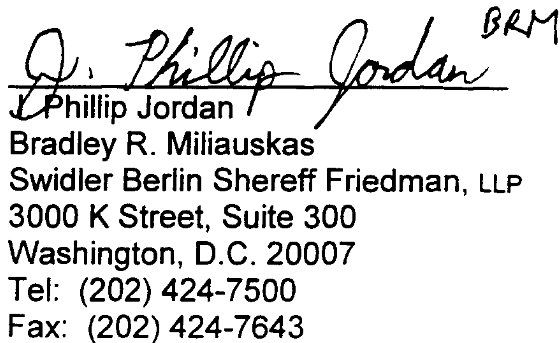

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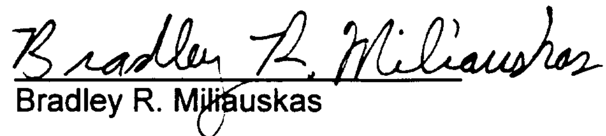
Counsel for the California Independent System Operator Corporation

Date: July 25, 2003

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list for the captioned proceedings, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C., on this 25th day of July, 2003.



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