

May 29, 2003

Attn: Commission's Docket Office
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Docket # I.00-11-001, Order Instituting Investigation Into Implementation of
Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution
Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the
Reliability of Electric Supply

Dear Clerk:

Enclosed for filing please find an original and four copies of the California Independent System
Operator's Response to the Motion by Southern California Edison Company to Postpone the
Evidentiary Hearings on Phase 6 in Docket # I.00-11-001. Please date stamp one copy and return
to California ISO in the self-addressed stamped envelope provided.

Thank you.

Sincerely,

Jeanne M. Solé
Regulatory Counsel

Cc: Attached Service List

**PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation into)
implementation of Assembly Bill 970 regarding) I.00-11-001
the identification of electric transmission and)
distribution constraints, actions to resolve those)
constraints, and related matters affecting the)
reliability of electric supply.)
_____)

**THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR'S RESPONSE TO THE
MOTION BY SOUTHERN CALIFORNIA EDISON COMPANY TO POSTPONE THE
EVIDENTIARY HEARINGS ON PHASE 6**

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Dated: May 29, 2003

**PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Investigation into)
implementation of Assembly Bill 970 regarding)
the identification of electric transmission and)
distribution constraints, actions to resolve those)
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I.00-11-001

**THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR’S RESPONSE TO THE
MOTION BY SOUTHERN CALIFORNIA EDISON COMPANY TO POSTPONE THE
EVIDENTIARY HEARINGS ON PHASE 6**

In accordance with California Public Utilities Commission Rule 45, the California Independent System Operator (“CA ISO”) respectfully submits its response to the Motion by Southern California Edison Company (“SCE” or “Edison”) to Postpone the Evidentiary Hearings on Phase 6 dated May 23, 2003 (“Edison Motion”). The CA ISO opposes the Edison Motion unless the hearings are delayed until fall (September/October) and Edison is directed to work cooperatively in the interim with the CA ISO, Oak Creek Energy Systems, Inc, the Kern Wind Energy Association, and Pacific Gas and Electric Company (“PG&E”) to adequately assess alternatives for the Tehachapi Transmission Project. The CA ISO did not purport in its limited five pages of testimony to have undertaken a full assessment of alternatives, rather it called attention to the need to undertake such an assessment. Accordingly, there is nothing further to discover about what the CA ISO knows about the alternative, the point is further study is needed. Thus there is no reason to delay the hearings unless Edison agrees to cease its unwarranted campaign of burdensome and unprofitable discovery and turns instead to working cooperatively with the parties to develop the additional information that is required to identify the best approach for interconnecting the Tehachapi Wind Project. The CA ISO notes moreover that the hearings are currently scheduled for less than two weeks away and urges that a ruling be issued on this matter as soon as possible to allow the parties to prepare accordingly.

The Edison Motion requests that hearings be delayed on the basis of a need to conduct further discovery. The CA ISO vehemently objects to a change in the schedule on these grounds. Since the CA ISO filed five pages of testimony, merely pointing out the fact that an alternative to SCE's proposed Tehachapi Transmission Project should be assessed and considered, the CA ISO received an extensive discovery request from Edison with fifty questions asking for all manner of documents. The CA ISO has attempted to work cooperatively with Edison to provide as much relevant data as soon as possible. Four policy related questions are outstanding that the CA ISO hopes to answer within the next two days, as well as some documents that may contain third party information which likely are already in Edison's possession or at least the general substance of which is likely already in Edison's possession. These outstanding matters do not provide a basis for a delay in the hearings.

Recently, the CA ISO received deposition notices which it will confer with Edison about but which appear on their face to be completely out of proportion (as were the data requests) to the limited testimony submitted by the CA ISO in this matter, particularly in light of the extensive data requests which were already propounded on and answered by the CA ISO. The CA ISO would strenuously object to a change in the schedule to allow Edison another several months to undertake these depositions or any further discovery related to the CA ISO. If the CA ISO's resources were not already so overburdened (in part responding to Edison's excessive discovery requests to date), a more relevant discovery matter is why Edison objects so forcefully to the assessment of alternatives that may provide more benefits to California ratepayers than the approach very superficially assessed by Edison to date.

A delay in the evidentiary hearings would be of no use to anyone unless there is a commitment on the part of all the relevant parties, including Edison, to use the intervening time period constructively. The CA ISO did not purport in its testimony to have undertaken a full assessment of alternatives, rather it called attention to the need to undertake such an assessment. Accordingly, there is nothing further to discover about what the CA ISO knows about the alternative without further study. The point is a study must be undertaken to develop the requisite information about alternatives, and then evidentiary hearings may be helpful to assess their relative merits.

In sum, the CA ISO strenuously objects to a delay in the schedule to afford Edison further time to continue to beset the CA ISO with unwarranted discovery requests. Unless there is a

commitment on the part of Edison to participate constructively in an assessment of alternatives during the intervening period, the hearings should take place as scheduled as there would be no benefit to a delay. Further, the CA ISO urges that a ruling be made on this matter as soon as possible so that parties can adequately prepare for the hearings currently scheduled for less than two weeks away.

May 29, 2003

Respectfully Submitted:

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PROOF OF SERVICE

I hereby certify that on May 29, 2003, I served by electronic and U.S. mail, the California Independent System Operator's Response to the Motion by Southern California Edison Company to Postpone the Evidentiary Hearings on Phase 6 in Docket # I.00-11-001.

DATED at Folsom, California on May 29, 2003.

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