

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

California Independent System  
Operator Corporation  
Docket No. ER10-1563-000  
**September 2, 2010**

California Independent System Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630

Attention: Sidney M. Davies, Esq.  
Assistant General Counsel  
California Independent System Operator Corporation

Reference: Baseline Open Access Transmission Tariff

Dear Mr. Davies:

On June 28, 2010, the California Independent System Operator Corporation (CAISO) submitted for filing a baseline electronic filing of its Open Access Transmission Tariff (OATT),<sup>1</sup> pursuant to Order No. 714.<sup>2</sup> CAISO explains that it made some non-substantive alterations to the formatting and organization of its OATT, in addition to a number of changes to section titles, in order to accommodate the Commission's electronic tariff system. CAISO also explains that it included language in its baseline tariff from compliance filings awaiting Commission action and, therefore, commits to making compliance filings implementing the Commission's final determinations upon issuance of orders in certain applicable proceedings. CAISO requests an effective date of June 28, 2010 for its baseline tariff.

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<sup>1</sup> In its transmittal letter, CAISO refers to its baseline tariff as Fifth Replacement FERC Electric Tariff (superseding Fourth Replacement Volumes No. 1 and II).

<sup>2</sup> *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).

This filing was noticed on June 28, 2010, with comments, protests or motions to intervene due on or before July 19, 2010. Timely motions to intervene were filed by the M-S-R Public Power Agency (M-S-R) and the City of Santa Clara, California (Santa Clara). A timely motion to intervene and comments were filed by the Modesto Irrigation District (Modesto). On August 2, 2010, CAISO filed an answer to Modesto's comments. 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.

Modesto contends that one of the new tariff section titles that the CAISO has submitted to comply with the Commission's requirements is inaccurate and needs correction. Specifically, the title to Section 24.3.4, "*Requests To IBAA's, Planning Groups And Regulatory Agencies,*" which is meant to reference the solicitation of information from "interconnected Balancing Authority Areas," is misleading because it also refers to an "Integrated Balancing Authority Area," which, according to Modesto, has a distinct meaning. Thus, Modesto requests that the Commission direct the CAISO to correct the proposed title in Section 24.3.4 to remove reference to the acronym "IBAA."

In its answer, CAISO agrees with Modesto that the use of the acronym "IBAA" in the title for Section 24.3.4 could be problematic. CAISO explains that, as part of its June 4, 2010 tariff amendment to implement a revised transmission planning process, it proposes to move this section of the tariff to Section 24.8.4 and revise the heading to read: "*Information from Planning Groups, BAAs and Regulators.*" Thus, pending the outcome of that tariff amendment, CAISO offers to adopt similar language for the heading to tariff section 24.3.4, in order to address Modesto's comments.

Commission staff reviewed all of the provisions of CAISO's baseline tariff, including the provision cited by Modesto, and agrees with Modesto that the aforementioned section title should be changed. Accordingly, CAISO's baseline tariff is accepted for filing, effective June 28, 2010, as requested. However, CAISO must make a compliance filing to address Modesto's concern within 30 days of the date of this order.<sup>3</sup> Additionally, CAISO did not include a tariff title page in its tariff records as required by section 35.10 of the Commission's Regulations, nor did CAISO include a table of contents in its tariff records or in its Clean Tariff attachment. Since the CAISO's baseline tariff should track the Commission's pro forma OATT, which includes both a tariff title page and a table

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<sup>3</sup> We reject CAISO's proposal to delay the needed correction based on Commission action in another proceeding.

of contents, CAISO's submittal must also include them. Accordingly, CAISO must revise its baseline tariff, within 30 days of the date of this order, to add a tariff title page and table of contents in the tariff records and the clean version of its tariff. In addition, we accept CAISO's commitment to make compliance filings to replace the pending tariff language included in its baseline tariff with Commission-approved language upon issuance of orders in certain applicable proceedings.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rates or services provided for in the filed documents; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against CAISO.

This action is taken pursuant to authority delegated to the Director, Division of Electric Power Regulation - West under 18 C.F.R. § 375.307. This order 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,

Steve P. Rodgers, Director  
Division of Electric Power  
Regulation - West

cc: All Parties

Document Content(s)

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