

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

Orange Grove Energy, L.P.

Docket No. ER13-1161

**MOTION TO INTERVENE AND COMMENTS OF THE CALIFORNIA
INDEPENDENT SYSTEM OPERATOR CORPORATION**

I. Introduction

The California Independent System Operator Corporation (the ISO) submits this motion to intervene and comments in this proceeding, which concerns an amended black start agreement by and between the ISO, Orange Grove Energy, L.P., and San Diego Gas & Electric Company (SDG&E).¹ The ISO supports the Commission's acceptance of the amended black start agreement and asks that Commission make the agreement effective consistent with Orange Grove's request, but on a date no later than July 1, 2013.

II. Motion to Intervene

The ISO is a non-profit public benefit corporation organized under the laws of the State of California, with a principal place of business at 250 Outcropping Way, Folsom, California. The ISO is an independent transmission system operator operating the transmission systems of its participating transmission owners. The ISO is a balancing authority and coordinates the ancillary services and electricity markets within its balancing authority area. Under the terms of the ISO tariff, which is on file with the Commission, the ISO currently secures black start services through

¹ The ISO submits this filing pursuant to Rules 212 and 213 of the Commission's rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.213 (2012).

agreements.² Orange Grove's filing includes a proposed amended agreement for black start services by and between the ISO, Orange Grove and SDG&E.

Accordingly, the ISO has a direct and substantial interest in this proceeding and requests that it be permitted to intervene with full rights of a party. Because no other party can adequately represent the ISO's interests in this proceeding, the ISO's intervention is in the public interest and should be granted.

III. Comments

In its filing, Orange Grove requests that waiver of the 60-day notice provisions of the Commission's regulations, 18 C.F.R. § 35.3, to allow the Black Start Agreement to become effective on the date that the Commission issues an order accepting this filing.³ Orange Grove does not, however, request a specific date on which the Commission should issue an order. The amended agreement contains new provisions, including a requirement that Orange Grove complete black start performance tests to verify that each black start resource is capable of meeting the requirements of restoration plans. These provisions comply in part with requirements in mandatory reliability standard EOP-005-02, which goes into effect on July 1, 2013.⁴ For this reason, the ISO respectfully requests that the Commission issue an order that makes the amended black start agreement effective on or before July 1, 2013.

² ISO tariff section 8.3.1: "The CAISO will procure Black Start capability through individual contracts with Scheduling Coordinators for Reliability Must-Run Units and other Generating Units which have Black Start capability." The ISO currently procures black start from one reliability must-run generator. The remainder of the ISO's black start capability is provided by resources under blackstart agreements.

³ See Orange Grove March 25, 2013 transmittal letter in ER13-1161 at 2.
<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13212828>

⁴ *System Restoration Reliability Standards* 134 FERC ¶ 61215 (Order 749) March 2011. See also <http://www.nerc.com/files/EOP-005-2.pdf>

IV. Communications

Please address all communications concerning this proceeding to the following persons:

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* Individuals designated for service pursuant to Rule 203(b)(3).⁵

V. Conclusion

The ISO respectfully requests that the Commission grant its motion to intervene in the captioned proceeding and allow the ISO to participate in the proceeding with full rights as a party thereto. The ISO asks the Commission accept the amended black start agreement by and between the ISO, Orange Grove, and SDG&E and make the agreement effective on or before July 1, 2013.

Dated: April 12, 2013

Respectfully submitted,
By: /s/ Andrew Ulmer
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⁵ 18 C.F.R. § 385.203(b)(3).

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon the parties listed on the official service lists in the above-referenced 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 12th day of April 2013.

Is/ Anna Pascuzzo
Anna Pascuzzo