

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

Order Instituting Rulemaking to Establish)
Policies and Cost Recovery Mechanisms for) R.01-10-024
Generation Procurement and Renewable)
Resource Development)
_____)

**COMMENTS OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION
ON THE PROPOSED DECISION OF ALJ BROWN AND THE
ALTERNATE PROPOSED DECISION OF PRESIDENT PEEVEY**

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Dated: April 26, 2004

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I. Introduction

In accordance with California Public Utilities Commission Rules 77.2 and 77.6, the California Independent System Operator Corporation (“CAISO”) respectfully submits these Comments on the Proposed Decision of ALJ Brown and the Proposed Alternate Decision of President Peevey (collectively “Decisions”) in the above-captioned proceeding. The CAISO’s comments focus narrowly on the discussion, identical in both Decisions, regarding the treatment of transmission upgrades associated with the Otay Mesa power purchase agreement (“Otay Mesa PPA”) between San Diego Gas and Electric (“SDG&E”) and Calpine.

The CAISO concurs with the Decisions’ approval of the Otay Mesa PPA. The Otay Mesa PPA offers a reasonable opportunity for SDG&E to secure an efficient and reliable source of energy within its service territory. The Otay Mesa PPA is a necessary precursor to the construction of needed generation that will allow old and inefficient resources to retire and can serve to mitigate SDG&E’s existing Reliability-Must-Run (“RMR”) costs. The construction of Otay Mesa will also serve to ensure that SDG&E will have sufficient resources to serve its’ customer’s needs, which under current resource conditions could occur as soon as 2008.

Notwithstanding the CAISO’s strong support for Otay Mesa PPA, the CAISO does not agree with the Commission’s conclusion that the proposed “Transmission System Enhancements,” subject to SDG&E’s application in A.04-03-008, are “not necessary for Otay

Mesa to satisfy SDG&E's local reliability needs, because the Otay Mesa plant will be located within SDG&E's service territory and will directly interconnect to the Miguel Substation.” (Decision, mimeo at 60; Alternate Proposed Decision, mimeo at 67.) This statement is erroneous, unnecessary to the Decisions, and should be stricken.

California ratepayers, and SDG&E's in particular, have suffered, and continue to endure inflated costs resulting from past regulatory discord in planning and siting the generation and transmission facilities necessary to satisfy California's integrated system requirements. As detailed by the CAISO recently in A.02-07-022, the failure to effectively coordinate construction of transmission upgrades with new generation construction has led to increased congestion in SDG&E's service territory, largely at the Miguel Substation. Managing this congestion through real-time redispatch and RMR dispatch has increased costs to California ratepayers by approximately \$34.5 million for the period July 2003 through March 2004.¹ The CAISO acknowledges and commends the Commission for proposing to enhance California's transmission planning and siting process through its pending proceeding in R.04-01-026 (Transmission OIR) and the acknowledgement of deliverability as a key requirement of resource adequacy, as it relates to the obligation of load serving entities to satisfy their load and reserve requirements through forward procurement of resources (D.04-01-50). However, notwithstanding the Commission's reassurances that nothing in the Decisions will impact the outcome of A.04-03-008, the Decisions' implication that the Transmission System Enhancements (or some other upgrades) are unnecessary to realize the full benefits of the Otay Mesa PPA, or that the Otay Mesa project in the absence of the transmission system upgrades will not exacerbate congestion at Miguel, is incorrect and may improperly prejudice SDG&E's pending application. The CAISO, therefore, urges the Commission to modify the Decisions to exclude such statements and vigilantly address the transmission needs of the Otay Mesa project. Only in this way can the expected value of the Otay Mesa PPA be realized and the approval of the Otay Mesa PPA not aggravate the existing substantial congestion observed in SDG&E's service territory.

¹ See, “Declaration of Michael Martin on Behalf of the California Independent System Operator,” A.02-07-022 (April 5, 2004).

II. The Statement That the Transmission System Enhancements Are Unnecessary Is Incorrect

The Commission reviewed the Otay Mesa project as a 585 MW combined cycle power plant connected to the Miguel Substation by looping the existing Tijuana-Miguel 230 kV transmission line into the project's switchyard and upgrading the Otay Mesa-Miguel line section. (Proposed Decision, mimeo at 44; Alternate Proposed Decision, mimeo at 50.) The estimated cost of these upgrades is approximately \$16 million. (Proposed Decision, mimeo at 44; Alternate Proposed Decision, mimeo at 50.) In addition, SDG&E sought as part of the Otay Mesa PPA expedited Commission review of certain Transmission System Enhancements that are the subject of A.04-03-008 filed on March 8, 2004. These upgrades include construction of two new 230 kV transmission lines from the Miguel Substation, one line to the Sycamore Canyon Substation and the other line to the Old Town Substation and also reconductoring of a Sycamore Canyon-Fanita Junction section of the existing Chicarita-Carton Hills-Los Coches 138 kV transmission line.² The estimated cost of these proposed upgrades is \$111 million.³ The Decisions considered the \$16 million in transmission upgrades to be the "only project-specific" transmission facilities and included the costs of the upgrades in the Otay Mesa PPA. In contrast, the Decisions stated that the \$111 million Transmission System Enhancements have no direct benefit to the Otay Mesa PPA and deferred addressing those upgrades to A.04-03-008.

While the CAISO concurs with the Decisions' approval of the Otay Mesa PPA, the CAISO does not agree that the "Transmission System Enhancements are not necessary for Otay Mesa to satisfy SDG&E's local reliability needs, because the Otay Mesa plant will be located within SDG&E's service territory and will directly interconnect to the Miguel Substation." The proposed Transmission System Enhancements, or alternative transmission upgrades, are necessary to provide for reliable delivery of the full output of the Otay Mesa project for resource adequacy and economic purposes. The Otay Mesa project, unaccompanied by transmission upgrades beyond Miguel, would cause increased congestion on the North-of-Miguel path.⁴ The

² This description was provided in the testimony of Mr. Korinek, Tr. 7015, 7016.

³ SDG&E's entire transmission plan of service for Otay Mesa, as presented in SDG&E's RFP testimony had a cost estimate of \$127 million. This included the \$16 million interconnection cost. See, Ex. RFP-72, Attachment 2, p.2.

⁴ Ex. RFP-72 at pgs. 5, 11.

additional congestion caused by Otay Mesa connecting to the Miguel Substation will prevent realization of the full economic benefits that this resource could otherwise bring to the state of California⁵.

Further, CAISO RMR technical study results show that the most limiting reliability criteria contingency for the SDG&E transmission system is the loss of the South West Power Link (Imperial Valley-Miguel 500 kV) line overlapped with the largest on-system generating unit off-line, while staying within the maximum allowed import limit on the South of Songs Path.⁶ Given the location of the Otay Mesa project, the RMR needs for the San Diego area, and the CAISO's existing RMR evaluation criteria, Otay Mesa *potentially* could be a candidate to provide RMR support to the SDG&E transmission grid. However, its eligibility to provide RMR support or substitute for existing RMR resources is minimally contingent upon relieving the congestion at the Miguel Substation so that the plant can be dispatched in the forward market.⁷ In other words, without the Transmission System Enhancements or their electrical equivalent, the CAISO would discount Otay Mesa's RMR eligibility and only designate Otay Mesa to meet RMR requirements after all other options have been exhausted.⁸ On the other hand, with further transmission system upgrades, Otay Mesa likely possesses the ability to substantially reduce existing RMR costs borne by SDG&E ratepayers.⁹ Consequently, without transmission system upgrades, Otay Mesa will contribute to congestion North of Miguel such that California consumers will continue to bear higher congestion costs, and SDG&E ratepayers will continue to bear higher RMR costs.

As recognized in the Decisions, the Otay Mesa PPA will become more beneficial when existing old, inefficient generation in the San Diego area is retired. Otay Mesa will be a good replacement for these old generation units provided the transmission upgrades are constructed to ensure reliable delivery of the full output of Otay Mesa. It is very possible Duke Power will

⁵ Ex. RFP-74 at pgs. 1, 2.

⁶ Ex. RFP-72 at pgs. 1, 4.

⁷ *Id.*, at pgs. 11, 12.

⁸ This is consistent with Mr. Korinek's testimony at Tr. 7070, 7094-7096.

⁹ *Id.*, at 7071; see also, Ex. RFP-33 at 9,10.

retire the South Bay Power plant in 2009.¹⁰ Without the transmission upgrades, the SDG&E transmission system will experience thermal overloads and voltage problems, which will prevent full delivery of Otay Mesa generation and impede retirement of old generation units until the transmission upgrades are constructed. The Decision's statement that the Transmission System Enhancements "are not necessary" is, therefore, clearly in error.

III. Conclusion

While the CAISO concurs in the approval of the Otay Mesa PPA, the conclusion set forth in the Decisions that the Transmission System Enhancements "are not necessary" for Otay Mesa to satisfy SDG&E's local reliability needs should be stricken. Furthermore, the Commission should provide guidance to the Presiding Administrative Law Judge in A.04-03-008 that the transmission upgrades proposed in that proceeding should be evaluated to ensure that the benefits expected from approval of the Otay Mesa PPA will be realized.

April 26, 2004

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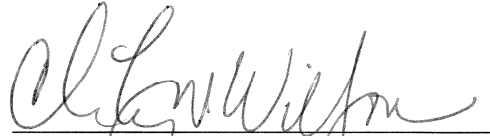
California Independent System Operator

¹⁰ Tr. 6517, 6518.

PROOF OF SERVICE

I hereby certify that on April 26, 2004 I served, by electronic and U.S. mail, Comments of The California Independent System Operator Corporation on the Proposed Decision of ALJ Brown and the Alternate Proposed Decision of President Peevey in Docket # R. 01-10-024.

DATED at Folsom, California on April 26, 2004

A handwritten signature in cursive script, appearing to read "Charity N. Wilson", written over a horizontal line.

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