

ALSTON & BIRD LLP

601 Pennsylvania Avenue, N.W.
North Building, 10th Floor
Washington, DC 20004-2601

202-756-3300
Fax: 202-756-3333

Bradley R. Miliauskas

Direct Dial: 202-756-3405

Email: bradley.miliauskas@alston.com

December 20, 2005

The Honorable Magalie Roman Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Re: Revised Public Utility Filing Requirements; Electric Quarterly Reports
Docket Nos. RM01-8-000 and ER02-2001-000**

Dear Secretary Salas:

Enclosed is the Motion of the California Independent System Operator Corporation for Extension of Time to File Corrected Electric Quarterly Reports, and Request for Expedited Action, submitted in the above-captioned dockets. Please contact the undersigned with any questions.

Respectfully submitted,

/s/ Bradley R. Miliauskas

Bradley R. Miliauskas

Counsel for the California Independent
System Operator Corporation

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

Revised Public Utility Filing Requirements)	Docket No. RM01-8-000
Electric Quarterly Reports)	Docket No. ER02-2001-000

**MOTION OF THE CALIFORNIA INDEPENDENT
SYSTEM OPERATOR CORPORATION FOR EXTENSION OF TIME
TO FILE CORRECTED ELECTRIC QUARTERLY REPORTS, AND
REQUEST FOR EXPEDITED ACTION**

Pursuant to Rules 212 and 2008(a) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), 18 C.F.R. §§ 385.212, 385.2008(a), the California Independent System Operator Corporation ("CAISO") respectfully requests an extension of time to submit its corrected First Quarter, Second Quarter, and Third Quarter 2005 Electric Quarterly Reports ("EQRs") by February 28, 2006, after it has had the opportunity to absorb the guidance provided by the Commission's December 14, 2005, EQR Users Group teleconference regarding clarification of the technical compliance reports provided to the CAISO on November 29, 2005. In support of this motion, the CAISO states as follows.

I. Statement of Issues

Pursuant to Rule 203(a)(7) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.203(a)(7), as modified by Commission Order No. 663 (FERC Stats. & Regs. ¶ 31,393 (2005)), the CAISO hereby provides the following statement of the issues to be decided:

Whether the Commission should, on an expedited basis, grant the CAISO an extension of time until February 28, 2006, to make the required submittals of its corrected First, Second, and Third Quarter 2005 EQRs.

II. Background

On April 25, 2002, Commission issued Order No. 2001,¹ amending its filing requirements under the Federal Power Act to require public utilities to electronically file EQRs summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and transaction information for short-term and long-term market-based power sales and cost-based power sales during the most recent calendar quarter. The CAISO submitted what it believed were compliant First Quarter, Second Quarter, and Third Quarter 2005 EQR filings, in accordance with Order No. 2001, *et seq.*, on April 4, 2005, July 21, 2005, and October 12, 2005, respectively.

On November 29, 2005, the EQR Technical Compliance group sent an e-mail notice informing the CAISO that it had failed one or more of the Automated EQR Technical Compliance Screens in filings submitted for the first three quarters of 2005 and informed the CAISO that corrections or responses must be submitted within 30 days of the November 29, 2005, notice. A teleconference was held by EQR staff on December 14, 2005, for purposes of discussing the

¹ *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶¶ 31,127 ("Order No. 2001"), *order on reh'g*, Order No. 2001-A, 100 FERC ¶ 61,074, *order on reh'g*, Order No. 2001-B, 100 FERC ¶ 61,342 (2002). See also *Revised Public Utility Filing Requirements*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), and *Revised Public Utility Filing Requirements*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

results of the EQR Technical Compliance Screening Process and resulting reports.

III. Request for Extension of Time

The CAISO seeks an extension of time until February 28, 2006, to submit its corrected 2005 EQR filings for the first, second, and third quarters of 2005. Good cause exists to grant this extension. The CAISO requests the extension due to the difficulties associated with attempting to make such extensive corrections within a short period of time. The CAISO has recently undergone a corporate reorganization, leaving considerably fewer resources available and making it difficult to provide a response in the timeframe requested by the Commission. Additionally, the CAISO's remaining resources are particularly impacted during the month of December due to already scheduled time off associated with the holiday season. It is also during this time that CAISO staff must begin the process of preparing for the Fourth Quarter 2005 EQR filing due in January 2006. The requested extension will allow the CAISO the time needed to digest and apply the direction provided in the December 14, 2005, teleconference. Moreover, the CAISO does not wish to burden the Commission, or to tax its own limited resources, by submitting multiple corrected EQRs.²

² The fact that a key CAISO employee involved in the EQR process will not be available during the time when she otherwise would be working on the corrected EQR (to the extent

IV. Request for Expedited Consideration

Due to the short time remaining before the corrected EQRs are due, the CAISO respectfully requests that the Commission rule on this Motion as soon as possible

V. Conclusion

For the reasons provided above, the CAISO requests that the Commission grant its request for an extension of time, and allow it to submit its corrected First, Second, and Third Quarter 2005 EQRs on or before February 28, 2006.

Respectfully submitted,

Charles F. Robinson
General Counsel
John Anders
Senior Counsel
The California Independent
System Operator Corporation
151 Blue Ravine Road
Folsom, CA 95630
Tel: (916) 608-7135

/s/ Kenneth G. Jaffe
Kenneth G. Jaffe
Bradley R. Miliauskas
Alston & Bird LLP
601 Pennsylvania Avenue, NW
North Building, 10th Floor
Washington, DC 20004
Tel: (202) 756-3300

Dated: December 20, 2005

possible in the absence of further guidance from Commission staff) also militates against attempting imperfect "corrected" EQR filings.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service lists compiled by the Secretary in the above-captioned dockets.

Dated at Washington, DC, on this 20th day of December, 2005.

/s/ John Anders
John Anders