

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

Delta Energy Center, LLC

)

Docket No. ER06-261-000

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

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), 18 C.F.R. § 385.214 (2005), the California Independent System Operator Corporation ("CAISO") submits this Motion to Intervene in the captioned proceeding. In support thereof, the CAISO states as follows:

I. Statement of Issues

1. The Commission should grant the CAISO's motion to intervene in the captioned case, as the CAISO is the counter party to the unexecuted agreement at issue in the proceeding and, therefore, has a direct and substantial interest that cannot be adequately represented by any other party.

II. Description of the Proceeding

On November 30, 2005, Delta Energy Center, LLC ("DEC") submitted, pursuant to Section 205 of the Federal Power Act ("FPA"), certain rate schedules related to its unexecuted Reliability Must-Run Service Agreement ("RMR Agreement") between DEC and the CAISO for the Delta Energy Center Facility ("DEC Facility") ("DEC 2006 RMR Filing"). DEC requests a January 1, 2006 effective date for the rate schedules. Additionally, DEC stated that it submitted an informational filing in support of its proposed Annual Fixed Revenue Requirement ("AFRR"), pursuant to Schedule F of the RMR Agreement.

The Commission issued a Combined Notice of Filings, setting December 21, 2005 as the comment date for interventions and protests in this proceeding. ^{1/}

III. Description of the CAISO and Communications

The CAISO is a non-profit public benefit corporation organized under the laws of the State of California with a principal place of business at 151 Blue Ravine Road, Folsom, CA 95630. The CAISO is the Control Area Operator responsible for the reliable operation of a grid comprising of the transmission systems of a number of public utilities including Pacific Gas and Electric Company (“PG&E”), as well as the coordination of the ancillary services and real-time electricity markets in California.

The CAISO requests that all communications and notices concerning this motion and these proceedings be provided to:

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^{1/} Combined Notice of Filings # 1, (December 7, 2005).

IV. Motion to Intervene

DEC's RMR Unit is located within PG&E's transmission system and is needed to maintain the reliability of such system. As the Control Area Operator responsible for maintaining reliability of the PG&E transmission system and, as the counter party to the unexecuted DEC RMR Agreement, the CAISO has a unique interest in any Commission proceeding concerning proposed changes to the RMR Agreement. Accordingly, the CAISO 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 CAISO's interests, the CAISO's intervention is in the public interest and should be granted.

V. Conclusion

For the foregoing reasons, the CAISO respectfully requests that the Commission grant the CAISO's motion to intervene in the above-captioned proceeding with full rights of a party.

Respectfully submitted,

/s/ Mary Anne Sullivan

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Counsel for
California Independent System
Operator Corporation

Dated: December 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of December, 2005 caused to be served a copy of the forgoing Motion to Intervene upon all parties listed on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

/s/Karin L. Larson
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