

December 21, 2005

VIA ELECTRONIC FILING

The Honorable Magalie R. Salas Secretary Federal Energy Regulatory Commission 888 First Street, N.E. Washington, D.C. 20426

Re: Duke Energy Oakland, LLC Docket No. ER06-266-000

Dear Secretary Salas:

Transmitted herewith for electronic filing in the above-referenced proceedings is the Motion to Intervene of the California Independent System Operator Corporation.

Thank you for your attention to this matter.

Yours truly,

/s/ Sidney Mannheim Davies

Sidney Mannheim Davies Assistant General Counsel

Counsel for the California Independent System Operator Corporation

Enclosure

cc: Service List

UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Duke Energy Oakland, LLC) Docket No. ER06-266-000

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, and the Commission's December 7, 2005, Notice of Filing, the California Independent System Operator Corporation ("CAISO") submits this Motion to Intervene in the above captioned proceeding. In support thereof, the CAISO states as follows:

I. DESCRIPTION OF THE PROCEEDING

On November 30, 2005, Duke Energy Oakland, LLC (DEO) submitted revisions to certain Reliability Must-Run Rate Schedules of its Reliability Must Run Agreement with CAISO.

By its Notice issued December 7, 2005, the Commission established December 21, 2005, as the date motions to intervene are to be filed in the above-captioned proceeding.

II. DESCRIPTION OF THE ISO AND COMMUNICATIONS

The CAISO is a non-profit public benefit corporation organized under the laws of the State of California with its 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 the electric grid comprising the

transmission systems of a number of 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:

Sidney Mannheim Davies
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California Independent System
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III. CAISO'S INTEREST

DEO's RMR Units are located within PG&E's transmission system and are needed to maintain the reliability of the ISO Controlled Grid. As the Control Area operator and as the counter party to the RMR Agreement, the CAISO has a unique interest in any Commission proceeding that affects an RMR Agreement. Accordingly, the CAISO has a direct and substantial interest in this proceeding and requests that it be permitted to intervene. Because no other party can adequately represent the CAISO's interests in this proceeding, the CAISO's intervention is in the public interest and should be granted.

IV. STATEMENT OF ISSUES

The CAISO seeks to intervene in this proceeding with all the rights

attendant to such status.

٧. CONCLUSION

For the foregoing reasons, the CAISO respectfully requests that the

Commission grant this Motion to Intervene and make the CAISO a party in the

above-caption proceeding with full rights of participation.

Dated: December 21, 2005

Respectfully submitted

/s/ Sidney Mannheim Davies

Sidney Mannheim Davies California Independent System **Operator Corporation**

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(916) 608-7144 (tel)

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3

CERTIFICATE OF SERVICE

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

/s/ Sidney Mannheim Davies
Sidney Mannheim Davies