

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

<b>Independent Energy Producers Association</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. EL05-146-000</b>
	)	
<b>California Independent System Operator Corporation</b>	)	
	)	
	)	
<b>Respondent.</b>	)	
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**JOINT MOTION TO CONTINUE DEFERRAL OF COMMISSION ACTION  
PENDING SETTLEMENT DISCUSSIONS OF THE CALIFORNIA INDEPENDENT  
SYSTEM OPERATOR CORPORATION AND  
THE INDEPENDENT ENERGY PRODUCERS ASSOCIATION**

Pursuant to Rule 212 of the Federal Energy Regulatory Commission’s (“Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.212 (2005), the California Independent System Operator Corporation (“CAISO”) and the Independent Energy Producers Association (“IEP”) hereby submit this Joint Motion To Continue Deferral of Commission Action Pending Settlement Discussions in the above-captioned docket.

**I. INTRODUCTION**

Pursuant to Section 206 of the Federal Power Act, IEP filed a complaint against the CAISO on August 26, 2005. IEP sought an order from the Commission directing the CAISO to replace the existing Must-Offer Obligation (“MOO”) and related minimum load cost compensation tariff provisions with an interim set of Reliability Capacity Services Tariff (“RCST”) provisions, which would fairly compensate generators that are currently denied just

and reasonable compensation for providing reliability capacity services to the CAISO under the current MOO tariff provisions. Thereafter, parties filed interventions and comments in response to IEP's Complaint.

On November 8-9, 2005, Commission Staff convened a technical conference to discuss the issues raised in IEP's Complaint. On November 14, 2005, IEP filed a Motion for Deferral of Commission Action Pending Settlement Discussions. In the November 14 Motion, IEP requested that the Commission defer action until December 9, 2005

## **II. JOINT REQUEST TO CONTINUE DEFERRAL**

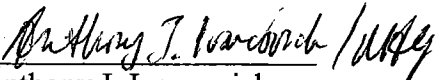
Since November 14, 2005, the parties to the above-captioned proceeding have spent a significant amount of time and effort toward reaching a settlement of the issues raised in the IEP Complaint. IEP and the CAISO believe that additional time is needed to continue our effort to pursue settlement. However, IEP and the CAISO recognize that time is of the essence in this matter. Therefore, IEP and the CAISO respectfully request that the Commission defer taking action on IEP's Complaint for an additional week - until December 16, 2005. Deferring action will give parties to the proceeding an opportunity to continue our extensive settlement discussions and possibly resolve the issues raised in the Complaint in an expedited manner.<sup>1</sup> Accordingly, IEP and the CAISO submit that it is in the best interest of all parties to defer any Commission action regarding the Complaint at this time.

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<sup>1</sup> See *California Power Exchange Corporation*, Order Providing Additional Time to Conduct Settlement Discussions, 108 FERC 61,199 (2004) (granting commenters request for the Commission to defer taking action in order for parties to conduct settlement negotiations); *Southern Natural Gas Company*, Order Granting Motion to

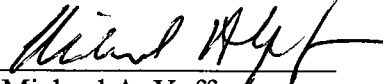
**III. CONCLUSION**

WHEREFORE, IEP and the CAISO respectfully request that the Commission grant its motion to continue deferral of Commission action pending settlement discussions until

  
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Respectfully submitted,

  
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Dated: December 9, 2005

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Defer Commission Action, 64 FERC ¶ 61,048 (1993) (granting motion to defer Commission action to “facilitate settlement”).

**CERTIFICATE OF SERVICE**

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day served copies of the foregoing document upon each person designated on the official Service List compiled by the Secretary in this proceeding.

DATED at Washington, D.C., this 9th day of December, 2005.



Michael A. Yuffe