

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

Order Instituting Investigation on the)	
Commission’s Own Motion to actively)	Investigation 08-03-010
Promote the development of transmission)	Filed March 17, 2008
Infrastructure to provide access to)	
Renewable energy resources for California)	

Order Instituting Rulemaking on the)	
Commission’s Own Motion to actively)	Investigation 08-03-009
Promote the development of transmission)	Filed March 17, 2008
Infrastructure to provide access to)	
Renewable energy resources for California)	

**PREHEARING CONFERENCE AND WORKSHOP STATEMENT
OF THE CALIFORNIA INDEPENDENT
SYSTEM OPERATOR CORPORATION**

On February 5, 2009, the Administrative Law Judge assigned to these consolidated dockets issued a Ruling Scheduling a Prehearing Conference and Workshop (“Ruling”). The Ruling not only scheduled a prehearing conference (“PHC”) and workshop for February 26, but also invited parties to submit statements on topics that should be discussed at the PHC and the workshop by February 23. The California Independent System Operator Corporation (“the ISO”) welcomes this opportunity to work with the Commission and other interested parties on expediting the development and construction of the transmission projects necessary to meet California’s RPS goals.

I. Introduction

This docket builds on prior collaborative efforts to encourage the development of renewable transmission and to streamline the state’s transmission siting process by

considering how the study results of the California Renewable Energy Transmission Initiative (RETI) can be incorporated into Commission proceedings. The ISO is actively engaged in the RETI process and, as further described below, will incorporate conceptual needs into its current planning effort in order to identify related transmission needs by the first quarter of 2010.¹ In addition, the ISO has an ongoing project to study the operational, market design and technological aspects of integrating renewable resources into the ISO grid, which is the subject of an ongoing stakeholder process.²

The ISO views this docket as an important next step in further “synching” the planning, study and approval responsibilities of the ISO with the numerous issues that must be considered by the Commission during a CPCN approval application.

As discussed below, in light of the work that has been accomplished to date in a variety of forums, it is important that the issues identified in this proceeding be folded into the existing procedural frameworks—including the ISO’s Order 890 Transmission Planning Process (TPP)-- rather than creating an additional approval processes. The ISO suggests that the focus of this docket should be on streamlining, coordination and collaboration among the parties involved in meeting the state’s ambitious RPS goals.

The ISO’s TPP has been developed through an open stakeholder process and it provides an opportunity for interested parties to participate in the ISO’s annual long-term planning studies. The TPP planning cycle, which consists of overlapping thirteen month process periods, incorporates data from state initiatives (such as RETI), state agencies

¹ The ISO is a member of both the RETI Coordinating Committee and the Stakeholder Steering Committee and is actively engaged with the stakeholders and RETI consultants to assist with both the CREZ (Competitive Renewable Energy Zones) development as well as preparation of conceptual transmission plans to accommodate the state's 33% RPS goal.

² The ISO’s is currently conducting a stakeholder process, the Integration of Renewables Resources Program (IRRP) to consider these issues: <http://www.caiso.com/1c51/1c51c7946a480.html>

(such as CEC load forecasts and resource information) and neighboring Balancing Authority Areas, as well as the results from the ISO's internal processes and studies such as the Large Generator Interconnection Process (LGIP) and the Locational Capacity Resource (LCR) studies. All of this information feeds into the Unified Study Assumptions that will be used by the ISO to identify needed system upgrades and additions. The TPP contains specific dates and milestones, and the ISO makes every effort to keep the process on track and moving forward. As discussed below, the ISO intends to use the RETI high-priority CREZ determinations, and the Phase 2 conceptual transmission plan, in its 2009 long-term studies in accordance with the TPP timeframe.

II. Prehearing Statement

At the PHC, the parties will discuss the issues to be detailed in the scoping memo for this proceeding and addressed through workshops and comments. The Ruling outlined the following topics:³

- RETI and the Long-Term Energy Procurement Processes
- Backstop Cost Recovery
- Obligation to Study Demand Side Resources Pursuant to Pub. Util. Code §1002.3
- Streamlining the Commission Transmission Permitting Process
- Strategic Benefits of Transmission
- Integration of Renewable Resources

The ISO suggests that another issue be added to this list and addressed during the first round of comments. ISO's LCRI cost recovery mechanism provides that proposed LCRI facilities ("LCRIF") provide access to location-constrained generation in

³ These issues were also identified in the March 17, 2008 Preliminary Scoping Memo.

designated Energy Resource Areas (“ERAs”). According to the ISO tariff, ERAs are to be identified and certified by the Commission and the California Energy Commission (CEC).⁴ LCRIF projects are a specific category of transmission upgrade or addition that must be proposed to the ISO for study during the annual Transmission Planning Process (TPP), and the ERA designation will provide the information necessary to complete the review process.

Now that the RETI results are available, this final LCRI issue can be resolved. The ISO requests that the RETI-identified resource zones be certified as ERAs by the Commission in this docket, and by the CEC as part of the 2009 Integrated Energy Policy Report (IEPR) process.

III. Workshop Statement

The basis for the series of workshops and comments initiated in the Ruling is succinctly stated on page 5:

...there is no formal mechanism for consideration of these prioritized portfolios in the Commission’s transmission approval process, beyond the expectation that these policy decisions are incorporated into the CAISO transmission planning process.

As a practical matter, the Commission’s expectation is absolutely correct- the RETI study results and the work that is being done in Phase 2 to identify conceptual transmission projects will be taken into account in the ISO’s 2009 TPP as input assumptions into the grid studies that will take place during this cycle. Such information includes the 33% renewables scenarios developed for the Commission by E3 in the LTPP

⁴ The ISO Tariff contains the following definition for Energy Resource Area, in pertinent part:

A geographic area certified by the California Public Utilities Commission and the California Energy Commission as an area in which multiple LCRIGs [Location Constrained Resource Interconnection Generator] could be located...

proceeding. Additionally, information from the ISO queue, as well as study results from the LGIP and the transition cluster, will feed into the ISO's evaluation of the infrastructure additions and upgrades that will be necessary to reliably operate the grid and support the state's long-term RPS goals. The identification of the input assumptions is part of the open and transparent TPP and interested parties are encouraged to participate in the process.

March 31, 2009 is the date by which RETI Phase 2 is expected to release a conceptual transmission plan that will provide access to the high priority CREZs. To facilitate the prioritization of the renewable zones and development of the conceptual plan, the ISO has hired Black & Veatch to build on the work accomplished by RETI in Phase 1 and the E3 renewables scenarios. The Black & Veatch study results will be provided to the RETI Stakeholder Steering Committee for possible use in the March 31 report, and will be incorporated into the ISO TPP study assumptions for studies that will be performed during the second and third quarters of 2009.

According to the TPP timeframe, the ISO study results, which will include the "need" determinations for specific projects necessary to connect the high priority CREZs, will be available in September and posted for stakeholder comments. Specific projects that respond to the ISO "need" determinations can be submitted through the TPP Request Window (open August 15-November 30) and presented to the ISO Governing Board in the 2010 Transmission Plan during the first quarter of 2010. Projects studied by the ISO in the 2010 cycle will be approved by the ISO Governing Board or ISO management in

accordance with the project criteria set forth in the tariff and Business Practice Manual for Transmission Planning.⁵

In the most general sense, all of the work accomplished by RETI and refined in the LTPP proceeding will be “handed off” to the ISO for identification of the transmission upgrades and additions that will be required to deliver the renewable energy from the resource zones. Once specific projects have been presented to the ISO for study and approval in response to these identified needs, the Commission will then consider the projects in the form of individual CPCN applications.

The ISO’s Transmission Planning Process provides all interested parties with the opportunity to participate in the development of the studies that will incorporate the RETI results into the grid reliability and planning assessments required by NERC. The ISO is mandated by the FERC Order 890 directives to conduct annual long-term planning studies, and the 2010 cycle is currently underway. The ISO suggests that the RETI results and any conceptual transmission plans can and will be used by the ISO to establish a “need” for projects to connect high priority CREZs, and how this pre-determination “need” can be reflected in the CPCN process is a subject for this workshop. The ISO’s responses to the specific questions identified in the Ruling are set forth below.

1. To what extent can the Commission grant a rebuttable presumption of need to transmission projects serving high priority CREZs?

The rebuttable presumption of reasonableness that is afforded the ISO’s economic studies, as detailed in D.06-11-018, could be expanded to include a layer of special deference for projects that provide access to high priority CREZs in response to the ISO’s

⁵ The BPM for Transmission Planning can be found at: <http://www.caiso.com/2024/20246de967b0.pdf>

need determination. This rebuttable presumption would be a distinct element in the consideration of need for the project and would be included in the ISO studies. During the CPCN process, a rebuttable presumption of need for a project providing access to high-priority resource zones could be used to develop project objectives and screen out infeasible alternatives. However, such a rebuttable presumption for high priority RPS projects cannot be used as a substitute for the ISO's reliability and economic evaluations which will be conducted for individual projects in accordance with the ISO tariff. Nonetheless, because the rebuttable presumption mechanism can be a valuable tool for coordinating the ISO TPP and the Commission's CPCN process, the ISO suggests that the rebuttable presumption also be expanded to include the ISO's reliability studies as well as its economic studies.

2. To what extent can, or should, the Commission grant blanket approval for recovery of costs for work performed for transmission projects serving high priority CREZs? If the Commission grants such approval, which costs should be recovered?

For the purposes of responding to this question, the ISO assumes that the phrase "costs for work performed" means preliminary study costs that a project proponent might incur when considering a project that would respond to the ISO's determination of "need" for high-priority transmission projects. The ISO assumes that "costs for work performed" does not mean the capital costs of the project.

This question appears to seek input on whether the Commission should consider blanket cost recovery approval for study costs incurred with regard to potential high-priority renewable transmission projects that are not studied and approved by the ISO. If this is a correct interpretation of the question, the ISO takes no position on retail rate recovery for such transmission project study costs. However, if not correct, it should be

emphasized that the ISO must study the reliability, economic and RPS compliance benefits of each high-priority transmission project pursuant to its tariff and the TPP. The capital and operating costs of a project cannot, and should not, be included in any consideration of “blanket” cost recovery approval that would precede the ISO study results for individual projects.

3. What is a high priority CREZ or transmission project for purposes of a potential rebuttable presumption or backstop cost recovery? Who should determine whether a particular CREZ or “RETI-identified” transmission project is high priority, and using what criteria?

- **Should the RETI Stakeholder Steering Committee make a recommendation?**
- **Does the Commission need to make a separate determination?**

The high priority CREZs will be identified through the RETI process, and the conceptual transmission plans will be developed in Phase 2. As discussed above, the ISO is working with RETI in Phase 2, along with Black & Veatch, to prioritize the CREZs and to develop conceptual transmission projects. This information will be incorporated into the ISO studies to produce high priority transmission project “needs” which will be identified annually by the ISO during the TPP. There is no need for the Commission to make a separate determination in this regard.

- **Should the Commission specify in these or other proceedings which CREZs each IOU should study for interconnection or should the selection be initiated by each IOU, or worked out, in coordination with publicly-owned utilities (POUs), through the RETI process?**
- **If the selection is initiated by the IOUs, should each IOU identify which CREZ(s) or RETI-identified transmission projects it wishes to study by means of an advice letter filing or by application?**

The IOUs and transmission project proponents will initiate the study selection process in response to the ISO's high-priority "need" determinations. Proposed projects will be submitted through the ISO TPP Request Window, or developed in coordination with POU's using the RETI study results. Accordingly, if the Commission is going to consider providing cost recovery for all transmission projects intended to provide access to a high priority resource zone, then the advice letter format might be considered as notification that a project proponent has developed a project in response to a high priority CREZ need identified by the ISO in its study results.

- 4. Final plans of service for transmission projects developed in RETI may evolve during the CAISO's transmission planning process, or joint ISO-POU planning process. Will the Commission need to determine whether the final plan of service is substantially identical to the project prioritized through the RETI stakeholder process, and if so, how should that be accomplished?**

Because the ISO will be identifying the need for the project and then studying the individual plans of service that are submitted for the purposes of serving such need, the ISO final study report will describe the differences between the conceptual project and the final plan of service. In accordance with the rebuttable presumption requirements of D.06-11-018, the ISO study report will be introduced as part of the CPCN record and supported by the ISO through testimony. The Commission will be provided with sufficient information to make a determination that the individual project under consideration in a CPCN proceeding meets the electrical "need" developed in RETI and the ISO studies.

- 5. Current statutes set the RPS goals at 20% by 2010, but Executive Order S-14-008 set a new target of 33% by 2020. Do these current statutes create impediments to meeting the 33% target, and if so, what mechanisms can the Commission adopt to ensure that progress can be maintained towards meeting that target within present authority?**

From the ISO's perspective, it does not appear that the 20% by 2010 RPS statutory requirement creates an impediment to achieving the 33% by 2020 RPS goal. In prior studies, the ISO has found that transmission projects such as Devers Palo Verde 2, Tehachapi and Sunrise, will be necessary to meet the both the 20% and 33% RPS goals.⁶ The ISO's transmission planning studies are modeled to meet the 33% by 2020 target, including the upcoming 2009 studies that will incorporate the RETI results and develop the high-priority transmission projects.

- **Among other things, can Section 399.25 backstop cost recovery be granted for projects needed to meet the 33% RPS goal?**
- **If not, how might the Commission provide backstop cost recovery for priority RETI projects?**

As noted above, the ISO must consider the reliability and economic benefits of network upgrades and additions that are presented for consideration through the TPP. Backstop cost recovery can be considered for project costs that are not approved for inclusion in the ISO TAC.

Respectfully submitted,

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⁶ See, e.g. Report on Preliminary Renewable Transmission Plans
<http://www.caiso.com/2007/2007d75567610.pdf>

CERTIFICATE OF SERVICE

I hereby certify that I have served, by electronic and United States mail, the foregoing Prehearing Conference And Workshop Statement of the California Independent System Operator Corporation in Docket Nos. I.08-03-010 and I.08-03-009.

Executed on February 23, 2009, at Folsom, California.

/s/ Jane Ostapovich
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