



December 13, 2004

**VIA ELECTRONIC FILING**

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

**Re: Gilroy Energy Center, LLC  
Docket No. ER05-248-000**

Dear Secretary Salas:

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

Thank you for your attention to this matter.

Yours truly,

**/s/ Sidney L. Mannheim**

Sidney L. Mannheim  
Regulatory Counsel

Counsel for the California Independent  
System Operator Corporation

Enclosure

cc: Service List

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

**Gilroy Energy Center, LLC        )       Docket No. ER05-248-000**  
  )

**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 1, 2004 Notice of Filing, the California Independent System Operator Corporation (“ISO”) submits this Motion to Intervene in the above captioned proceeding. In support thereof, the ISO states as follows:

**I. DESCRIPTION OF THE PROCEEDING**

On November 23, 2004, Gilroy Energy Center, LLC (“Gilroy”) submitted, revised rate schedule sheets to Gilroy First Revised Rate Schedule FERC No.2, consisting of a Must-Run Service Agreement and accompanying schedules.

By its Notice issued December 1, 2004, the Commission established December 14, 2004, as the date motions to intervene are to be filed in the above-captioned proceeding.

## **II. DESCRIPTION OF THE ISO AND COMMUNICATIONS**

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

Sidney L. Mannheim  
Regulatory Counsel  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
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916-608-7222 (fax)  
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[rkott@casio.com](mailto:rkott@casio.com)

## **III. ISO’S INTEREST**

Gilroy’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 ISO has a unique interest in any Commission proceeding that affects an RMR Agreement. Accordingly, the ISO 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 ISO's interests in this proceeding, the ISO's intervention is in the public interest and should be granted.

**V. CONCLUSION**

For the foregoing reasons, the ISO respectfully requests that the Commission grant this Motion to Intervene and make the ISO a party in the above-caption proceeding with full rights of participation.

Respectfully submitted

**Sidney L. Mannheim**  
Sidney L. Mannheim  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630

Dated: December 13, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 13<sup>th</sup> day of December, 2004 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 L. Mannheim**

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