

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

El Segundo Power, LLC) Docket No. ER05-363-000

**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 (2004), the California Independent System Operator Corporation (“ISO”) submits this Motion to Intervene in the captioned proceeding.

I. Description of the Proceeding

On December 21, 2004, El Segundo Power, LLC (“El Segundo”) filed, pursuant to Section 205 of the Federal Power Act (“FPA”), its Rate Schedule FERC No. 2, Reliability Must-Run Service Agreement (“RMR Agreement”) between El Segundo and the ISO, as well as a letter agreement dated December 20, 2004 between El Segundo and the ISO setting forth additional terms and conditions that affect the RMR Agreement. El Segundo’s filing contains the Reliability Must-Run Rate Schedules for Contract Year 2005 for El Segundo’s Units 3 and 4 (the “RMR Units”). ^{1/} El Segundo requested an effective date of January 1, 2005, subject to refund.

^{1/} Because the generation units covered by the RMR Agreement must operate at certain times for the reliability of the transmission grid, they are referred to as “reliability must-run” or RMR Units and the agreements covering them are referred to as “RMR Agreements.” Other capitalized terms that are not defined in this filing

On December 28, 2004, the Commission issued a "Notice of Filing" setting January 11, 2005, as the date for interventions, comments and protests.

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 a grid comprising of the transmission systems of a number of public utilities including Southern California Edison Company ("Edison"), as well as for the coordination of the competitive 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: 2/

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have the same meaning set forth in the RMR Agreements or in the Master Definitions Supplement, Appendix A to the ISO Tariff.

2/ Pursuant to Rule 101(e), 18 C.F.R. § 385.101(3), the ISO requests waiver of the Commission's limit on persons to be served, as set forth in 18 C.F.R. § 385.203(b)(3).

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III. ISO's Interest

El Segundo's RMR Units are located within Edison'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 concerning a RMR Agreement. Accordingly, the ISO 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 ISO's interests in this proceeding, the ISO's intervention is in the public interest and should be granted.

WHEREFORE, 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

/s/ Geo. F. Hobday, Jr.
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Counsel for
California Independent System
Operator Corporation

Dated: January 11, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of January, 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/ Geo. F. Hobday, Jr.
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