

April 6, 2005

VIA ELECTRONIC FILING

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

Re: Cabrillo Power I and Cabrillo Power II, LLC Docket No. ER05-708-000

Dear Secretary Salas:

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

Thank you for your attention to this matter.

Yours truly,

/s/ Sidney Mannheim Davies

Sidney Mannheim Davies Senior Regulatory Counsel

Counsel for the California Independent System Operator Corporation

Enclosure

cc: Service List

UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

Cabrillo Power I and Cabrillo Power II, LLC

Docket No. ER05-708-000

MOTION TO INTERVENE ONE DAY OUT-OF-TIME OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION

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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 March 21, 2005 Notice of Filing, the California Independent System Operator Corporation ("ISO") submits this Motion to Intervene One Day Out-Of-Time in the above captioned proceeding. In support thereof, the ISO states as follows:

I. DESCRIPTION OF THE PROCEEDING

On March 15, 2005, Cabrillo Power I, LLC (Cabrillo I) and Cabrillo Power II, LLC (Cabrillo II) tendered for filing an amendment to certain sheets of Cabrillo I's First Revised Rate Schedule FERC No. 2 and Cabrillo II's First Revised Rate Schedule FERC No. 2 to incorporate the Reliability Must-Run Service Agreement between the California ISO and Cabrillo I and Cabrillo II. Cabrillo requests an effective date of April 1, 2005.

By its Notice issued March 21, 2005, the Commission established April 5, 2005, as the date motions to intervene are to be filed in the above-captioned proceeding.

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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 San Diego Gas and Electric Company ("SDG&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 Mannheim Davies Senior Regulatory Counsel California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630 916-608-7144 (tel) 916-608-7222 (fax) sdavies@caiso.com Robert C. Kott Manager of Reliability Contracts California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630 916-608-5804 (tel) 916-608-7222 (fax) rkott@caiso.com

III. ISO'S INTEREST

Cabrillo I and Cabrillo II's RMR Units are located within SDG&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.

IV. MOTION TO INTERVENE OUT OF TIME

Due to an administrative oversight, the ISO failed to file this motion by the date specified in the March 21, 2005, Notice of Filing. Given the early status of the proceeding, however, no party will be prejudiced by the granting of the motion.

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.

Dated: April 6, 2005

Respectfully submitted

Sidney Mannheim Davies

Sidney Mannheim Davies California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of April 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.

<u>/s/ Sidney Mannheim Davies</u> Sidney Mannheim Davies