November 22, 2000

The Honorable David P. Boergers Secretary Federal Energy Regulatory Commission 888 First Street, N.E. Washington, D.C. 20426

## Re: California Independent System Operator Corporation Docket No. ER01-\_\_\_- 000; Service Agreement No. 131 of ISO Tariff Rate Schedule 1

Dear Secretary Boergers:

Please find enclosed a notice concerning the termination of the Meter Service Agreement for ISO Metered Entities ("MSA-ME") between the California Independent System Operator Corporation ("ISO") and Burney Forest Power ("Burney").<sup>1</sup> The MSA-ME was filed with the Commission on June 4, 1998, in Docket No. ER98-3221-000, and accepted for filing in a letter order dated July 31, 1998.

Section 2.2.2 of the MSA-ME provides that Burney may terminate the agreement upon giving the ISO ninety days written notice, and that the agreement shall terminate upon acceptance by the Commission of the notice of termination. The ISO respectfully requests that the MSA-ME be terminated effective as of the date on which Burney sent the notice of termination – October 13, 2000. Therefore, the ISO requests waiver of the Commission's sixty-day prior notice requirement, pursuant to Section 35.3 of the Commission's regulations, 18 C.F.R. § 35.3.

<sup>&</sup>lt;sup>1</sup> The enclosed notice of termination also references the Participating Generator Agreement between the ISO and Burney, which is the subject of a separate filing being made today.

The Honorable David P. Boergers November 22, 2000 Page 2

The ISO requests that all correspondence, pleadings, and other communications concerning this filing be served on the following:

Roger E. Smith\* Deborah A. Le Vine The California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630 Kenneth G. Jaffe David B. Rubin\* Julia Moore Swidler Berlin Shereff Friedman, LLP 3000 K Street, N.W., Suite 300 Washington, D.C. 20007

\* Individuals designated for service pursuant to Rule 203(b)(3), 18 C.F.R. § 385.203(b)(3).

In addition to the notice of termination, please find enclosed a notice of filing suitable for publication in the *Federal Register* and a computer disk containing the notice in WordPerfect format.

Two extra copies of the filing are also enclosed. Please date-stamp the extra copies with the time and date of filing and return them to the messenger. Thank you for your assistance in this matter.

Respectfully submitted,

Kenneth G. Jaffe David B. Rubin Julia Moore Swidler Berlin Shereff Friedman, LLP 3000 K Street, N.W., Suite 300 Washington, D.C. 20007 Telephone: 202-424-7516 Facsimile: 202-424-7647

Attorneys for the California Independent System Operator Corporation

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

#### California Independent System Operator Corporation

Docket Nos. ER01-\_\_\_- 000

#### NOTICE OF FILING

1

)

)

Take notice that on November 22, 2000, the California Independent System Operator Corporation (ISO) tendered for filing a notice concerning the termination of the Meter Service Agreement for ISO Metered Entities (MSA-ME) between the ISO and Burney Forest Power (Burney). The ISO requests that the MSA-ME be terminated effective as of October 13, 2000, and therefore requests waiver of the Commission's sixty-day prior notice requirement, pursuant to Section 35.3 of the Commission's regulations, 18 C.F.R. § 35.3, in order to permit this effective date.

ſ

The ISO states that copies of this filing have been served on Burney and the California Public Utilities Commission.

Any person desiring to be heard to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. §§ 385.211, 385.214). All such motions or protests must be filed in accordance with § 35.9 of the Commission's regulations. Protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202-208-2222 for assistance).

# **CERTIFICATE OF SERVICE**

I hereby certify I have this day served this document upon Burney Forest Power and the California Public Utilities Commission in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C. this 22nd day of November, 2000.

Julia Moore