

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

**California Independent System) Docket No. ER00-555-000
Operator Corporation)**

**ANSWER OF THE CALIFORNIA INDEPENDENT SYSTEM
OPERATOR CORPORATION TO MOTION FOR EXTENSION OF TIME AND
FOR EXPEDITED CONSIDERATION**

I. Introduction

Pursuant to Rule 213 of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.213 (1999), the California Independent System Operator Corporation ("ISO"), hereby files its Answer to the Motion for Extension of Time and for Expedited Consideration ("Motion") filed by Reliant Energy Power Generation, Inc., Dynegy Power Marketing, Inc., Southern Energy Delta, L.L.C., Southern Energy Potrero, L.L.C., and Duke Energy North America LLC (hereafter the "Joint Movants") in this proceeding on November 22, 1999. The Joint Movants request a one-week extension of the time permitted to file interventions or protests on Amendment No. 23 to the ISO Tariff in this proceeding. As explained below, the ISO does not oppose a three-day extension of time to file interventions or protests in this proceeding due to the intervening Thanksgiving holiday, but believes a one-week extension is unwarranted given the substantial opportunity for review of the ISO's filing which has already been provided to California market participants and the need for timely Commission action on Amendment No. 23.

II. Background

On November 10, 1999, the ISO filed Amendment No. 23 to the ISO Tariff in the above-captioned proceeding. Amendment No. 23 would modify the Tariff to provide an alternative payment option for ISO Dispatch orders. Amendment No. 23 also includes proposed revisions that clarify the circumstances in which the ISO will use Dispatch orders to address locational problems. The ISO requested waiver of the 60-day prior notice requirement to permit Amendment No. 23 to go into effect by January 1, 2000.

Electronic copies of Amendment No. 23, including attachments, were posted on the ISO Home Page by 5:00 PM, Pacific Standard Time, on November 10, 1999. In addition, the ISO sent an e-mail to California market participants on November 11, 1999 informing them that the ISO had filed Amendment No. 23 with the Commission. This e-mail included a link to the posting of that filing on the ISO Home Page.

On November 19, 1999, the Commission issued its Notice of Filing in the above-captioned docket, establishing a date of November 30, 1999 for filing interventions and protests on Amendment No. 23. On November 22, 1999, the Joint Movants filed their Motion for Extension of Time, requesting a one-week extension, until December 7, 1999, to file interventions and protests in this proceeding. The Joint Movants also request that their motion be given expedited consideration and that the Commission rule on their motion by November 24, 1999, or by no later than November 26, 1999.

III. Answer to Motion for Extension of Time and for Expedited Consideration

Joint Movants state that there are two primary reasons for their motion: (1) the complexity of the issues presented by Amendment No. 23 and (2) the lack of availability of essential personnel to assist in drafting responses in the next week due to the intervening Thanksgiving holiday. Motion at 2-3. The motion suggests that the Joint Movants have only had the period since the Commission issued its Notice of Filing on November 19 to prepare responses to Amendment No. 23. In fact, the ISO's filing has been publicly available on the ISO Home Page for nearly two weeks, and all market participants were notified of that filing by e-mail more than a week before the Commission issued its Notice of Filing. In addition, the Tariff revisions proposed in Amendment No. 23 have been developed through an extensive stakeholder process over many months, which has provided parties with substantial opportunities to review the ISO's proposal as it was being developed. That stakeholder process is described in the Amendment No. 23 transmittal letter filed in this docket.

The ISO therefore believes that all interested parties should already have had the opportunity to assess the "complexity of the issues" presented by Amendment No. 23. In light of that fact, and the need for timely Commission action on Amendment No. 23 due to the ISO's request that it be made effective by the start of next year, the ISO believes a full week's extension is not justified. The ISO is sympathetic to time concerns associated with the upcoming Thanksgiving holiday, however. The ISO would therefore not oppose a three-day extension, until December 3, 1999, of the time permitted to file interventions and

protests in this proceeding. Such an extension would provide all parties with a full work week after the holiday to finalize responses to Amendment No. 23. The ISO believes such an extension would be a fair compromise that would take into account the time concerns associated with the holiday, the prior opportunities for parties to review the ISO's proposal, and the need for timely action on Amendment No. 23.

IV. Conclusion

For the reasons expressed herein, the ISO would not oppose an extension of time until December 3, 1999 for filing interventions or protests in this proceeding. The ISO does not believe, however, that any additional extension of time is necessary or justified. The ISO therefore requests that the Commission act on the Joint Movants' motion in accordance with this Answer.

Respectfully submitted,

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Date: November 23, 1999

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the forgoing document upon each person designated on the official service list compiled by the Secretary in the above-captioned proceeding, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §385.2010 (1999).

Dated at Washington, D.C. on this 23rd day of November, 1999.

Sean A. Atkins