

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

**Southern California Edison  
Company**

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**Docket No. EL03-175-000**

**ANSWER OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR  
CORPORATION TO MOTION TO DISMISS SHOW CAUSE PROCEEDING**

On November 3, 2003, Commission Trial Staff (“Staff”) filed a Motion To Dismiss Show Cause Proceeding (“Motion”), in resolution of all issues related to Southern California Edison Company (“SCE”) set for hearing in *American Electric Power Service Corp., et al.*, 103 FERC ¶ 61,345 (2003) (“the Gaming Show Cause Order” or “Order”). Pursuant to Rule 213 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.213, the California Independent System Operator Corporation (“CAISO”) timely submits this answer to the Motion.

**I. Background**

The Gaming Show Cause Order required SCE to show cause why it should not be found to have engaged in Cutting Non-Firm, Circular Scheduling, or Paper Trading, as those practices are described in the Order. In the Motion, Staff requested that SCE be dismissed from the Show Cause proceeding established by the Order, that this docket be terminated, and that SCE be relieved from further obligation with respect to this docket.

## **II. Discussion**

The CAISO does not object to relieving SCE of any obligation to respond further concerning the practices of Cutting Non-Firm, Circular Scheduling, and Paper Trading. As noted in the Motion, the dismissal relates only to matters raised in this docket, see Motion at ¶ 4.3. The dismissal does not affect any other proceeding, any pending rehearing or clarification requests with respect to the Order except for any pending rehearing request filed by SCE related to the charges against it (see Motion at ¶ 4.4), or the possibility of subsequent proceedings against SCE based on the outcome of those requests, or on different time periods, different practices, or different transactions.

The CAISO respectfully suggests that, on balance, and contrary to the request in the Motion, see Motion at ¶ 4.1, it is preferable not to close the docket or to relieve SCE of all further obligations. Rather, the docket should remain open until all of the Show Cause proceedings have been concluded, and SCE should remain subject to discovery as a party if it has information relevant to potential gaming by others. There would be no prejudice to SCE, and it would serve the interests of efficiency, especially in light of the short discovery periods in these proceedings, to avoid the cumbersome process of obtaining discovery from a non-party.

### III. Conclusion

The CAISO does not object to relieving SCE of further obligation to respond to the Gaming Show Cause Order. However, the docket should remain open and SCE should be subject to discovery as a party.

Respectfully submitted,

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Dated: November 18, 2003

## CERTIFICATE OF SERVICE

In accordance with the order issued by the Presiding Administrative Law Judge I hereby certify that I have this day served the foregoing document by posting an electronic copy on the Listserv for this proceeding, as maintained by the Commission.

Dated at Washington, D.C., on this 18<sup>th</sup> day of November, 2003.

/s/ J. Phillip Jordan  
J. Phillip Jordan