

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

**California Independent System                    )       Docket No. ER06-615-000**  
**Operator Corporation                                )**

**MOTION OF THE CALIFORNIA INDEPENDENT  
SYSTEM OPERATOR CORPORATION  
FOR EXTENSION OF TIME  
FOR SHORTENED RESPONSE TIME  
AND FOR EXPEDITED ACTION**

Pursuant to Rules 212 and 2008 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. §§ 385.212, 385.2008, the California Independent System Operator Corporation (“CAISO”) respectfully submits this motion for an extension of time to file reply comments in the above-captioned matter concerning the CAISO’s Market Redesign and Technology Upgrade (“MRTU”) tariff filing. As explained below, the CAISO requests that the Commission grant an extension of time until May 16, 2006 for all parties to file reply comments. The CAISO also requests that the Commission set a date of no later than April 20 for responses to this motion and that the Commission issue an expedited order on this motion.

**I. BACKGROUND**

The February 9, 2006 filing of the CAISO’s MRTU Tariff (the “MRTU Tariff Filing”) represents the culmination of years of study, analysis, stakeholder input, coordination with state authorities, and Commission guidance to address the structural flaws in the CAISO’s current electricity markets. The MRTU market design addresses these flaws through a comprehensive overhaul of the electricity markets administered by

the CAISO and the adoption of a new network model that will accurately reflect the operational realities of the grid. The MRTU Tariff Filing includes over a thousand pages of revised tariff sheets implementing the new market design, as well as several thousand pages of testimony and supporting documentation.

The notice of the MRTU Tariff Filing, issued in the above-captioned docket on February 17, 2006, directed that initial comments on the filing would be due on March 27, 2006, and reply comments would be due on April 17, 2006. In response to several requests for additional time to file initial comments, the Commission issued a notice on March 7, 2006 that extended the period for initial comments through April 10, 2006, but left the original period of time – *i.e.*, three weeks – after the initial comments for reply comments to be filed. Currently, reply comments are due on May 1, 2006.

In response to the MRTU Tariff Filing, on and around April 10, 2006,<sup>1</sup> numerous stakeholders and interested parties filed comments and/or protests.

## **II. REQUEST FOR EXTENSION OF TIME, SHORTENED RESPONSE TIME, AND FOR EXPEDITED COMMISSION ACTION**

The Commission may, for good cause shown, extend the time for compliance with a statute, rule, or Commission order (except as otherwise provided by law). 18 C.F.R. § 385.2008(a). To determine if good cause exists, the Commission will review the facts surrounding a request for an extension of time. *See Salt Lake County Water Conservancy District*, 31 FERC ¶ 61,201, at 61,413 (1985); *see also New England Power Pool*, 67 FERC, ¶ 61,159 (1994). Good cause exists here for the Commission to grant the request for extension of time, as explained below.

---

<sup>1</sup> Several parties filed their comments out of time.

The CAISO requests that the Commission grant an extension of time until May 16, 2006 to allow the CAISO, and any other participant interested in doing so, to prepare and file reply comments in response to the numerous and lengthy comments and protests filed by intervenors in this proceeding. Literally thousands of pages of comments, protests and interventions were filed in response to the MRTU Tariff Filing by dozens of parties. Many sets of initial comments exceed 100 pages each and raise detailed questions about elements of the MRTU Tariff.

It will take the CAISO considerable time to review and prepare an appropriate response to the initial comments that have been filed. This task is further complicated by several competing deadlines involving the same CAISO personnel needed to respond to the comments in this proceeding, including the regulatory deadline of May 1 for reply comments on the Reliability Capacity Services Tariff settlement in Docket No. EL05-146. Many of the same CAISO personnel are also working to fulfill various CAISO commitments to stakeholders, including the commitment to release initial drafts of the MRTU Business Practice Manuals for stakeholder review by the start of May. In order that the CAISO might provide, through its response to the comments of other parties, the best possible record for the Commission, the CAISO requests that the deadline for reply comments on the MRTU Tariff be extended 15 days so that reply comments will be due on May 16, 2006.

The CAISO recognizes that any extension in the deadline for reply comments will naturally lead to a commensurate extension in the time it will take the Commission to act on the MRTU Tariff Filing. Due to the benefits to consumers of implementing the improved market design as soon as possible, the CAISO has emphasized the significance

of receiving an order sooner rather than later. Specifically, the CAISO had requested an order by June with an objective of addressing any implementation issues that might arise in response to a Commission order as early as possible in the software development cycle, limiting potential schedule and budget impacts. The CAISO now recognizes that its request for a Commission order in June may be highly ambitious due to the scope of the issues raised in this proceeding. In light of this, the CAISO believes that a modest extension of time is appropriate because the extension will allow the CAISO to provide the Commission and interested parties with a better record. That is, the CAISO recognizes that, while allowing additional time at this juncture will result in a commensurate delay in the issuance of an order, the additional information will increase the likelihood that the Commission will have an adequate record to issue an order that resolves more issues than otherwise might be the case. An order that resolves more issues and sets fewer issues for hearing is in the interest of all parties and the Commission. The CAISO also believes that a better record will make it less likely that the Commission's order on the MRTU Tariff will require changes that would have a significant impact on the schedule and budget for MRTU implementation. The CAISO continues to believe that a Commission order on the MRTU Tariff Filing as soon as reasonably practicable is important. Therefore, with this extension, the CAISO respectfully requests that the Commission issue an order in this matter by the third quarter of 2006.

The CAISO also requests that the Commission grant a shortened response time to, and expedited consideration of, this motion. The CAISO requests that the response time to this motion be shortened to require responses by no later than April 20, 2006. The

CAISO will serve this motion on all intervenors by e-mail so that all parties will be on notice of the instant motion concurrently with the filing of the motion. In addition, because the extension requested by the CAISO applies to the deadline for reply comments applicable to all parties, and not just the CAISO, no party will be harmed by the CAISO's request. Moreover, an expedited Commission order on this motion will allow the CAISO and other parties to allocate resources appropriately among development of the MRTU Tariff reply comments and the various competing deadlines described above. For all these reasons, the CAISO's request is justified.

#### IV. CONCLUSION

WHEREFORE, for the above-stated reasons, the CAISO respectfully requests that the Commission grant an extension of time for reply comments in this proceeding until May 16, 2006, to require responses to this motion by no later than April 20, 2006, and to act on this motion on an expedited basis.

Respectfully submitted,

/s/ Sidney M. Davies  
Sidney M. Davies

Charles F. Robinson  
General Counsel  
Sidney M. Davies  
Assistant General Counsel  
Anna McKenna  
Counsel  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
Tel: (916) 351-4400  
Fax: (916) 608-7296

Dated: April 18, 2006

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this document upon all parties listed 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), as well as upon the California Electricity Oversight Board, the California Public Utilities Commission, the California Energy Commission, and all ISO Scheduling Coordinators and Participating Transmission Owners.

Dated this 18th day of April, 2006 at Folsom in the State of California.

/s/ Sidney M. Davies  
Sidney M. Davies  
(916) 608-7144