

160 FERC ¶ 62,138

**FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426**

OFFICE OF ENERGY MARKET REGULATION

California Independent System Operator
Corporation
Docket No. ER17-1796-000

Issued: August 9, 2017

California Independent System Operator
Corporation
250 Outcropping Way
Folsom, CA 95630

Attention: John C. Anders, Esq.
Assistant General Counsel

Reference: Order Accepting and Suspending Filing, Subject to Refund, and
Further Commission Order

Dear Mr. Anders:

On June 9, 2017, pursuant to section 205 of the Federal Power Act,¹ the California Independent System Operator Corporation (CAISO) submitted an Implementation Agreement between CAISO and Powerex Corp. (Powerex) setting forth the terms under which CAISO will enable Powerex's participation in CAISO's Energy Imbalance Market (EIM). Under the Implementation Agreement, Powerex will compensate CAISO for the preparatory activities necessary to enable its participation in the EIM. The Implementation Agreement also sets forth certain principles to guide the negotiation and implementation of additional agreements necessary to support Powerex's EIM participation. CAISO seeks an effective date for the Implementation Agreement of August 15, 2017.

CAISO's filing was noticed on June 19, 2017, with interventions and protests due on or before June 30, 2017. Pursuant to Rule 214 of the Commission's Rules of Practice

¹ 16 U.S.C. § 824d (2012).

and Procedure,² any notices of intervention and timely filed, unopposed motions to intervene serve to make the filer a party to this proceeding.³

Powerex supports the filing for largely the same reasons articulated by CAISO. Other commenters express that they are not opposed to Powerex's participation in the EIM, but seek clarification and further explanation regarding some areas of concern, including, among other things, the principles set forth to guide the negotiation and implementation of additional agreements necessary for Powerex's EIM participation, potential changes to the EIM framework that would be required to integrate Powerex, and a provision providing for the addition of other parties upon mutual agreement.

Preliminary analysis indicates that CAISO's proposed Implementation Agreement has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Therefore, pursuant to the authority delegated to the Director, Division of Electric Power Regulation – West, Office of Energy Market Regulation, in the Commission's February 3, 2017 Order Delegating Further Authority to Staff in Absence of Quorum,⁴ CAISO's proposed Implementation Agreement is accepted for filing, suspended for a nominal period, to become effective August 15, 2017, as requested, subject to refund and further Commission order. Protests and comments will be addressed in a further Commission order as appropriate.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in your filing; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against CAISO.

Consistent with Rule 1902 of the Commission's Rules of Practice and Procedure,⁵ requests for rehearing by the Commission may be filed within 30 days of the date of

² 18 C.F.R. § 385.214 (2017).

³ Any late and opposed motions to intervene will be addressed in a further Commission order as appropriate.

⁴ *Agency Operations in the Absence of a Quorum*, 158 FERC ¶ 61,135 (2017).

⁵ 18 C.F.R. § 385.1902 (2017).

issuance of this order.⁶

Sincerely,

Steve P. Rodgers, Director
Division of Electric Power
Regulation – West

⁶ 18 C.F.R. § 385.713 (2017).