

August 27, 2009

VIA OVERNIGHT DELIVERY

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20246

**Re: California Independent System Operator Corporation
Compliance Filing
Docket Nos. ER06-615-048; ER08-367-005**

Dear Secretary Bose:

The California Independent System Operator Corporation (“ISO”) ¹ hereby submits an original and five copies of this filing in compliance with the Commission’s August 7, 2009 order in the above-referenced proceeding.² Two additional copies of this filing are enclosed to be date-stamped and returned to our office via the self-addressed, postage prepaid envelope contained herein.

I. Discussion

On April 24, 2009, the ISO submitted tariff revisions to comply with a March 26, 2009 order conditionally accepting the ISO’s proposed description of the criteria to be used in determining whether a market participant may access non-public operating procedures. The ISO proposed to limit access, subject to agreed upon controls, to those entities that are operationally affected by implementation of the non-public operating procedure. In response to protests and comments, the ISO agreed to make changes to these tariff revisions on further compliance. On August 7, 2009, the Commission conditionally accepted the proposed tariff revisions subject to the modifications that the ISO had agreed to make in a further compliance filing. Specifically, the Commission directed the ISO to modify its proposed tariff language as follows:

- (A) Modify the description in proposed tariff section 22.11.3 of whether an entity is operationally affected to read as follows:

¹ Capitalized terms not otherwise defined herein have the meanings set forth in the Master Definitions Supplement, Appendix A to the currently effective ISO tariff.

² *Order on Compliance Filing, California Independent System Operator Corporation*, Docket ER06-6125-048; ER08-367-005, issued August 7, 2009, 128 FERC ¶ 61,148.

“For purposes of this section, an entity is “operationally affected” if (1) the entity is a party to the Transmission Control Agreement, a neighboring Balancing Authority or a Market Participant and (2) the Operating Procedure, if implemented, would require a change outside of the CAISO Markets in the operation of that entity's facilities that are part of or interconnected to the CAISO Controlled Grid.”

- (B) Add the following language in proposed tariff section 22.11.3 to clarify the dispute resolution procedures available to an entity requesting access to non-public operating procedure: *“If the CAISO denies a request for access to a non-public Operating Procedure or portion thereof, the requesting entity shall have the right to invoke the CAISO ADR Procedures in Section 13.”*
- (C) Add the following language in proposed tariff section 22.11.3 to identify the triggering event for the 30 day timeframe for the ISO to provide access to non-public operating procedures: *“If the CAISO determines that the entity is operationally affected by the operating procedure or portion thereof, the CAISO will, subject to agreed upon controls, provide access to the non-public Operating Procedure within thirty (30) days of the entity’s written request.”*

II. Materials Provided In This Compliance Filing

The following documents, in addition to this transmittal letter, support this filing:

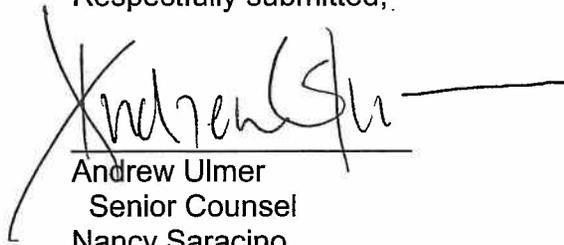
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| Attachment A | Clean sheets of the currently effective tariff showing revisions described in this filing |
| Attachment B | Sheets showing, in black-line format, the changes to the currently effective tariff described in this filing |

III. Conclusion

The ISO respectfully requests that the Commission accept this filing as complying with the directives of the Commission’s August 7, 2009 order. Please do not hesitate to contact the undersigned if you have any questions.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Ulmer", is written over a horizontal line. A long horizontal line extends to the right from the end of the signature.

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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).

Dated this 27th day of August, 2009 at Folsom, California.


Jane Ostapovich

Attachment A – Clean Sheets
Non-Public Access to Operating Procedures Compliance Filing
ER06-615-048 and ER08-367-005
August 28, 2009

the urgent BPM PRR at its next regularly scheduled meeting, or at a special meeting called by the BPM change management coordinator to consider the urgent BPM PRR. Any revisions to a BPM that take effect pursuant to an urgent BPM PRR shall be subject to a BPM PRR impact analysis.

22.11.2 Changes to Business Practice Manual for BPM Change Management.

Any changes to the Business Practice Manual for BPM change management shall require CAISO Governing Board approval.

22.11.3 Requests for and Access to Nonpublic Operating Procedures

Non-public Operating Procedures contain information that is either market sensitive, system security sensitive, or proprietary to third parties. The CAISO may limit access to these non-public Operating Procedures. Subject to agreed upon controls, the CAISO will make non-public CAISO Operating Procedures or portions thereof available to entities that are operationally affected by implementation of the Operating Procedure or any proposed changes to the Operating Procedure. Such controls may include execution of a nondisclosure agreement or other measures to limit access, disclosure and use of any non-public information. Subject to agreed upon controls, the CAISO will provide access to employees or representatives acting as agents of the requesting entity. For purposes of this tariff section an entity is "operationally affected" if (1) the entity is a party to the Transmission Control Agreement, a neighboring Balancing Authority or a Market Participant and (2) the Operating Procedure, if implemented, would require a change outside of the CAISO Markets in the operation of that entity's facilities that are part of or interconnected to the CAISO Controlled Grid. An entity that may merely be affected economically or financially by implementation or revision of a non-public Operating Procedure or portion thereof is not entitled to access to that Operating Procedure or portion thereof pursuant to this Section 22.11.3.

Any entity that believes it is operationally affected by a non-public CAISO Operating Procedure may seek access to that Operating Procedure by providing a written request to the CAISO. Any such request must identify the specific Operating Procedure to which the entity seeks access, the name and position of the employees and representatives of the entity that seek to review the non-public Operating Procedure, a representation that each employee or representative needs to review the non-public Operating Procedure or portion thereof to perform their employment responsibilities and a representation that each employee or representative does not perform a market function on behalf of the requesting entity. The CAISO shall respond in writing to a request for access to a non-public Operating Procedure or portion thereof within ten (10) Business Days after receipt of the request. The CAISO will state whether it will allow access to review the non-public Operating Procedure and under what set of proposed controls. The CAISO will determine whether to provide access to review the non-public Operating Procedure based on whether the entity is operationally affected as a result of implementation of the Operating Procedure or a portion thereof. If the CAISO determines that the entity is operationally affected by the Operating Procedure or portion thereof, the CAISO will, subject to agreed-upon controls, provide access to the non-public Operating Procedure within thirty (30) days of the entity's written request. If the CAISO determines that the entity is not operationally affected by the Operating Procedure or portion thereof, the CAISO will explain the reason for its determination in its written response. If the CAISO denies a request for access to a non-public Operating Procedure or portion thereof, the requesting entity shall have the right to invoke the CAISO ADR Procedures in Section 13.

Attachment B – Blacklines
Non-Public Access to Operating Procedures Compliance Filing
ER06-615-048 and ER08-367-005
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22.11.3 Requests for and Access to Nonpublic Operating Procedures

Non-public Operating Procedures contain information that is either market sensitive, system security sensitive, or proprietary to third parties. The CAISO may limit access to these non-public Operating Procedures. Subject to agreed upon controls, the CAISO will make non-public CAISO Operating Procedures or portions thereof available to entities that are operationally affected by implementation of the Operating Procedure or any proposed changes to the Operating Procedure. Such controls may include execution of a nondisclosure agreement or other measures to limit access, disclosure and use of any non-public information. Subject to agreed upon controls, the CAISO will provide access to employees or representatives acting as agents of the requesting entity. For purposes of this tariff section an entity is "operationally affected" ~~by a CAISO Operating Procedure if either~~ (1) the entity is a party to the Transmission Control Agreement, ~~or is~~ a neighboring Balancing Authority or a Market Participant and ~~(2) the Operating Procedure, if implemented, would require a change outside of the CAISO Markets in the operation of that entity's facilities that are part of or interconnected directs the entity to operate transmission equipment; or (2) the Operating Procedure directs an interruption in transmission service to facilities interconnected~~ to the CAISO Controlled Grid ~~which are operated by the requesting entity~~. An entity that may merely be affected economically or financially by implementation or revision of a non-public Operating Procedure or portion thereof is not entitled to access to that Operating Procedure or portion thereof pursuant to this Section 22.11.3. Any entity that believes it is operationally affected by a non-public CAISO Operating Procedure may seek access to that Operating Procedure by providing a written request to the CAISO. Any such request must identify the specific Operating Procedure to which the entity seeks access, the name and position of the employees and representatives of the entity that seek to review the non-public Operating Procedure, a representation that each employee or representative needs to review the non-public Operating Procedure or portion thereof to perform their employment responsibilities and a representation that each employee or representative does not perform a market function on behalf of the requesting entity. The CAISO shall respond in writing to a request for access to a non-public Operating Procedure or portion thereof within ten (10) Business Days after receipt of the request. The CAISO will state whether it will allow access to review the non-public Operating Procedure and under what set of proposed controls. The CAISO will determine whether to provide access

to review the non-public Operating Procedure based on whether the entity is operationally affected as a result of implementation of the Operating Procedure or a portion thereof. If the CAISO determines that the entity is operationally affected by the Operating Procedure or portion thereof, the CAISO will, subject to agreed-upon controls, provide access to the non-public Operating Procedure within thirty (30) days of the entity's written request. If the CAISO determines that the entity is not operationally affected by the Operating Procedure or portion thereof, the CAISO will explain the reason for its determination in its written response. If the CAISO denies a request for access to a non-public Operating Procedure or portion thereof, the requesting entity shall have the right to invoke the CAISO ADR Procedures in Section 13.

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