

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

Independent Energy Producers Association,)	
)	
)	
Complainant)	
)	
v.)	Docket No. EL05-146-000
)	
California Independent System Operator Corporation,)	
)	
)	
Respondent.)	

MOTION FOR EXTENSION OF TIME

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.212, the California Independent System Operator Corporation (“ISO”), Southern California Edison Company, and the California Public Utilities Commission (referred to collectively as “Movants”) hereby request that the Commission grant an extension of time -- until October 3, 2005 -- for parties to intervene and submit any protests or comments regarding the complaint (“Complaint”) filed by the Independent Energy Producers Association (“IEP”) on August 26, 2005 in the captioned proceeding. October 3, 2005 is the intervention and comment date that complainant IEP requested the Commission adopt in its Complaint (IEP Complaint at 36, n.109).¹ However, in its Notice of

¹ As IEP stated in its Complaint, an October 3, 2005 comment date was necessary “to give the [ISO] sufficient time to review the filing in light of its ongoing MRTU process.” IEP Complaint at 36, n.109.

Complaint, dated September 2, 2005,² the Commission established September 16, 2005 as the date for parties to submit interventions and comments. IEP has authorized the Movants to represent that IEP does not object to the proposed extension.

I. Request for Extension of Time

Rule 2008 states that “[e]xcept as otherwise provided by law, the time by which any person is required to act under any statute, rule, or order may be extended by the decisional authority for good cause.” To determine if good cause exists for granting a request for an extension of time, the Commission will review the facts surrounding the request. *Salt Lake County Water Conservancy District*, 31 FERC ¶ 61,201, at 61,413 (1985).

Good cause exists for the Commission to grant the extension of time requested herein. IEP itself proposed a comment date of October 3, 2005 in its Complaint, and the proposed notice of filing that IEP included along with the Complaint also proposed an October 3 comment date. Thus, from the time the Complaint was filed to the time the Notice of Complaint was issued, Movants have proceeded under the reasonable assumption that the October 3 comment date requested by IEP would be granted. There was no reason for the Commission to require a comment date earlier than that proposed by IEP, and there is no prejudice to IEP, or any other potential party to the proceeding, in granting an extension.

It is important that the ISO and other parties have until the October 3, 2005 intervention date proposed by IEP to submit comments on the Complaint. The IEP

² Although the Notice of Complaint is dated September 2, 2005, the Notice was not made available to parties who receive Commission issuances from FERRIS –the Federal Energy Regulatory Records & Information System until September 8, 2005. Similarly, the Notice was not posted on e-Library until the afternoon of September 8. Further, the Notice was not posted in the Federal Register until September 9, 2005.

Complaint raises serious issues regarding key elements of the ISO's existing and future market structures that could have far-reaching implications. Parties need adequate time to thoroughly evaluate the operational, cost, and reliability impacts of IEP's proposal and submit comprehensive and constructive comments. In particular, as IEP explained in its Complaint, the ISO needs time to review the substance of the Complaint in light of the Market Redesign and Technology Upgrade ("MRTU") policy resolution process taking place in Docket No. ER02-1656. In that regard, the ISO personnel responsible for reviewing the Complaint and preparing the ISO's response thereto are the same personnel involved in the MRTU policy development process that will culminate in stakeholder conferences concerning MRTU on September 20-22. As the Commission should appreciate, it is imperative that these policy issues be resolved so that the ISO can make its MRTU Tariff filing on November 30, 2005. The said personnel are unable to dedicate the necessary amount of time to focus on responding to IEP's Complaint while simultaneously attempting to resolve outstanding MRTU matters. For these reasons, the October 3 comment date requested by IEP is justified.

II. Conclusion

For the reasons discussed above, the Movants respectfully ask that the Commission grant the requested extension of time for the submittal of interventions and other filings in response to IEP's Complaint and establish a comment date of October 3, 2005 as requested in the IEP Complaint itself.

Respectfully submitted,

/s/ Anthony J. Ivancovich

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Filed: September 9, 2005



September 9, 2005

The Honorable Magalie Roman Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Docket No. EL05-146-000

Dear Secretary Salas:

Enclosed for electronic filing please find Motion for Extension of Time of the California Independent System Operator Corporation in the above captioned docket.

Thank you for your assistance in this matter.

Respectfully submitted,

/s/ Anthony J. Ivancovich

Anthony J. Ivancovich
Counsel for The California Independent
System Operator Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in the above-captioned dockets.

Dated at Folsom, California, on this 9th day of September, 2005.

/s/ Stephen Morrison
Stephen Morrison