

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

California Wind Energy Association and	)	
First Solar, Inc., Complainants,	)	
v.	)	Docket No. EL14-14-000
California Independent System Operator Corporation	)	
and Southern California Edison Company,	)	
Respondents.	)	

**MOTION OF SOUTHERN CALIFORNIA EDISON  
COMPANY AND THE CALIFORNIA INDEPENDENT  
SYSTEM OPERATOR CORPORATION FOR AN  
EXTENSION OF TIME TO ANSWER COMPLAINT**

Pursuant to the rules and regulations of the Federal Energy Regulatory Commission (“FERC” or “Commission”), Respondents Southern California Edison Company (“SCE”) and the California Independent System Operator Corporation (“ISO”) (jointly, “Respondents”) respectfully request additional time in order to properly consider and respond to the Complaint filed in the above-referenced proceeding by First Solar, Inc. (“First Solar”) and the California Wind Energy Association (“CalWEA”). Respondents therefore move—pursuant to 18 C.F.R. §§ 385.212, 385.2008 (2013)—for an extension of time until January 17, 2014 to answer the Complaint.

**I. EXTENSION OF TIME**

Complainants filed the Complaint on December 16, 2013. The Commission issued a Notice on December 17, 2013, setting January 6, 2014 as the date for Respondents’ to file answers to the Complaint. Respondents have reviewed the

Complaint and determined that they need additional time to respond due to the nature and number of the allegations and the intervening holidays.

The complaint raises numerous allegations to which the Respondents must answer, including whether the appropriate procedures were followed under the Transmission Control Agreement (“TCA”) in order for the ISO to release certain facilities from its operational control. In addition, the ISO and SCE must address allegations regarding whether the substantive requirements of Section 4.7 of the TCA were satisfied. The complaint also raises numerous tangential arguments concerning the impacts of the relinquishment.

The need for an extension is further amplified by the difficulties Respondents will encounter as a result of the absence of key personnel during the upcoming holidays. As of next week, each Respondent will lose a wide range of employees who are necessary to respond to the Complaint. Moreover, given that the New Year’s holiday ends on Thursday, January 2 and the January 6 deadline falls on the next Monday, Respondents will have very few workdays after the December holidays to complete their answers.

Granting an extension will enhance the record that is available to the Commission when it rules on the Complaint, which constitutes good cause to grant this motion. *See Complaint Procedures*, Order No. 602-A, FERC Stats. & Regs. ¶ 31,076 at 30,856 (1999) (clarifying that the Commission will “be flexible” in considering extensions of the time to answer complaints and will “favor” extensions that foster the development of the

record early in the complaint process); *see also* 18 C.F.R. § 385.2008 (authorizing extensions of time “for good cause”).

Finally, granting Respondents an extension will not harm Complainants. Although Complainants have requested fast-track processing, they identify no pressing need for expedited Commission action or any adverse impacts that would occur as a result of allowing an extension of time for Respondents’ answers. The ISO already has released the facilities from its operational control pursuant to the terms of the TCA.<sup>1</sup> Contrary to the Complaint, this change in control itself will have negligible impacts on the ISO’s operations and Complainants do not show that they will suffer irreparable harm as a result of this change in control. Therefore, the refund protections of the Federal Power Act moot the need for expedited Commission action. There thus is no indication that allowing Respondents a reasonable, eleven-day extension, in light of the complexity of the Complaint and upcoming holidays, would harm the Complainants. Moreover, Complainants have been aware of this issue for many months now. The timing for filing this complaint was entirely at their discretion. The Commission should not permit this decision to unfairly prejudice the ISO’s and SCE’s ability to fully respond to the Complaint.

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<sup>1</sup> The ISO released operational control of these facilities to SCE on December 15, 2013.

## II. CONCLUSION

For the foregoing reasons, Respondents respectfully request that the Commission expeditiously grant this motion for an extension.

Respectfully submitted,

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December 18, 2013

## 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 this proceeding.

Dated at Rosemead, CA on December 18, 2013.

/s/ Rodger Torres

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