

Cabrillo Order.txt  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Cabrillo Power I LLC and Cabrillo Power II LLC Docket No. ER02-1264-000

ORDER OF CHIEF JUDGE CONTINUING  
SUSPENSION OF HEARING PROCEDURES

(Issued January 6, 2003)

1. By order issued on April 26, 2002, the Commission established a hearing in this proceeding, but held the hearing procedures in abeyance in order to allow the parties to pursue settlement. The Commission required the parties to report within 60 days from April 26, 2002, and every 30 days thereafter on the status of the negotiations.

2. On December 31, 2002, counsel for Cabrillo Power I LLC and Cabrillo Power II LLC (Cabrillo) filed a partial settlement package with the Commission. Cabrillo indicates that the settlement agreement has been duly executed by Cabrillo, by the California Independent System Operator and by San Diego Gas & Electric Company, but that the parties have not been able to complete all of the documentation to be included in a complete Rule 603 Offer of Settlement package, and that one issue still remains to be resolved. Cabrillo also states that the parties anticipate resolving the outstanding issue and filing the entire offer of settlement by January 15, 2003. Cabrillo requests that this partial settlement package be accepted as a status report.

3. The Chief Judge hereby accepts Cabrillo's partial settlement package as its status report and finds that additional time is warranted to allow the parties to resolve the outstanding issue and to complete the settlement package. Accordingly, for good cause shown, the hearing in this case continues to be held in abeyance pending finalization of the settlement package. If no settlement is filed on or before January 15, 2003, the parties will file a further status report.

4. The Chief Judge strongly encourages electronic filings. See, 18 C.F.R. \* 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "eFiling" link.

Curtis L. Wagner, Jr.  
Chief Administrative Law

Judge