

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

California Independent System Operator
Corporation
Docket No. ER09-259-000
February 11, 2009

Bradley R. Miliauskas
Alston & Bird LLP
The Atlantic Building
950 F Street, NW
Washington, DC 20004

Reference: Amended and Restated Metered Subsystem Aggregator Agreement

Dear Mr. Miliauskas:

On November 7, 2008, the California Independent System Operator Corporation (CAISO) filed a unilaterally-executed Amended and Restated Metered Subsystem Aggregator Agreement (MSSA Agreement) between the CAISO, the Northern California Power Agency (NCPA), and NCPA's MSSA Agreement members. The CAISO states that the MSSA Agreement was revised to comport with the new provisions of the CAISO's Market Redesign and Technology Upgrade Tariff (Market Redesign Tariff). The CAISO requests that the MSSA Agreement become effective on the date that the Market Redesign and Technology Upgrade is implemented. Waiver of the Commission's notice requirements pursuant to section 35.11 of the Commission's rules and regulations (18 C.F.R. § 35.11) is granted and the MSSA Agreement is accepted for filing, as designated, effective upon MRTU implementation, as requested. We also direct the CAISO to make an informational filing specifying the effective date of the MSSA Agreement accepted herein prior to MRTU implementation.

This filing was noticed on November 13, 2008, with comments, protests, or motions to intervene due on or before November 28, 2008. Timely interventions were filed by the City of Santa Clara, California, Southern California Edison Company, and NCPA. On December 22, 2008, NCPA filed a supplement to its motion to intervene stating that, since the unilaterally executed MSSA Agreement was filed, the NCPA Commission has approved it and authorized NCPA's General Manager to execute the Agreement on behalf of the Agency. No protests or adverse comments were filed. Notices of intervention, unopposed timely filed motions to intervene are granted pursuant

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to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is also governed by the provisions of Rule 214.

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 provided for in the filed documents; 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 any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the California Independent System Operator Corporation.

This action is taken pursuant to authority delegated to the Director, Division of Tariffs and Market Development - West under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Steve P. Rodgers, Director
Division of Tariffs and Market
Development -West

cc: All Parties

Document Content(s)

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