

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

**California Independent System    )           Docket No. ER21-1790-\_\_\_\_**  
**Operator Corporation            )**

**PETITION FOR LIMITED WAIVER OF THE CALIFORNIA INDEPENDENT SYSTEM  
OPERATOR CORPORATION**

The California Independent System Operator Corporation (CAISO) respectfully requests a limited waiver of the order issued in this proceeding on June 25, 2021, to permit the CAISO to implement certain tariff provisions no later than July 30, 2021.<sup>1</sup>

**I. Background**

On April 28, 2021, the CAISO filed tariff revisions in this proceeding to modify load, export, and wheeling priorities in the day-ahead and real-time market optimization processes and establish related market rules (April 28 Filing).<sup>2</sup> The April 28 Filing requested the Commission approve (1) an effective date for certain tariff revisions of June 28, 2021, and (2) an effective date for the remaining tariff revisions (referred to hereinafter as the “July 15 Tariff Revisions”) no later than July 15, 2021. Regarding the July 15 Tariff Revisions, the CAISO stated it would notify market participants five days in advance of the implementation date and notify the Commission of the actual effective

---

<sup>1</sup> *Cal. Indep. Sys. Operator Corp.*, 175 FERC ¶ 61,245 (2021) (June 25 Order). The CAISO submits this petition for limited waiver pursuant to Rule 207 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.207. Capitalized terms not otherwise defined herein have the meanings set forth in the CAISO tariff.

<sup>2</sup> *Cal. Indep. Sys. Operator Corp.*, Transmittal Letter, FERC Docket No. ER21-1790 (Apr. 28, 2021).

date within five business days after implementation. The June 25 Order accepted the CAISO's tariff revisions effective June 28, 2021<sup>3</sup> and no later than July 15, 2021, as requested by the CAISO.<sup>4</sup>

The CAISO cannot implement the July 15 Tariff Revisions by July 15, 2021 because the software code will not be ready for implementation by that date. The CAISO expects to implement the July 15 Tariff Revisions on July 20, 2021, but in no event later than July 30, 2021. To provide additional implementation flexibility and to avoid burdening the Commission with further filings, the CAISO requests a limited waiver of the June 25 Order to permit it to implement the July 15 Tariff Revisions no later than July 30, 2021, subject to the CAISO notifying the Commission of the actual implementation date within five business days of implementation.

## **II. Petition for Waiver**

Good cause exists for the Commission to grant a limited waiver of the tariff revisions accepted in the June 25 Order. The Commission previously has granted requests for tariff waivers where: (1) the applicant acted in good faith; (2) the waiver was of limited scope; (3) the waiver addressed a concrete problem; and (4) the waiver did not have undesirable consequences, such as harming third parties.<sup>5</sup> This waiver petition meets all four conditions.

The CAISO has acted in good faith to implement the July 15 Tariff Revisions in a timely manner. It promptly filed this request after determining it would be unable to

---

<sup>3</sup> The CAISO implemented these tariff provisions on June 28, 2021.

<sup>4</sup> June 25 Order at P 1.

<sup>5</sup> See, e.g., *Cal. Indep. Sys. Operator Corp.*, 158 FERC ¶ 61,072, at P 5 (2017); *N.Y. Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,061, at P 19 (2014); *PJM Interconnection, L.L.C.*, 146 FERC ¶ 61,041, at P 5 (2014); *ISO New England, Inc.*, 134 FERC ¶ 61,182, at P 8 (2011).

meet the targeted July 15, 2021 implementation date. The waiver is of limited scope because it will apply only for 15 days. The waiver will also remedy the concrete problem that the CAISO cannot implement the tariff revisions by July 15, 2021 without risking implementation of potentially flawed systems. The Commission previously has recognized that it is reasonable to postpone the effectiveness of tariff revisions where, as in this proceeding, it is infeasible to implement the tariff revisions on their intended effective date because the CAISO cannot properly deploy the software until a later date.<sup>6</sup> Further, the waiver will not have undesirable consequences because the CAISO can continue to operate under the status quo for the limited waiver period.

Therefore, good cause exists to grant the CAISO's request for limited waiver of the June 25 Order to permit it to implement the approved July 15 Tariff Revisions no later than July 30, 2021, subject to the CAISO notifying the Commission of the implementation date within five business days of implementation.

---

<sup>6</sup> See, e.g., *Cal. Indep. Sys. Operator Corp.*, 165 FERC ¶ 61,038 (2018); *Cal. Indep. Sys. Operator Corp.*, 141 FERC ¶ 61,184 (2012).

### III. Conclusion

For the foregoing reasons, the Commission should find that good cause exists to grant this request for limited waiver to permit a delay in implementing the July 15 Tariff Provisions that the Commission approved in its June 25 Order.

Respectfully submitted,

**By: /s/ Anthony Ivancovich**

Roger E. Collanton  
General Counsel  
Anthony Ivancovich  
Deputy General Counsel  
California Independent System  
Operator Corporation  
250 Outcropping Way  
Folsom, CA 95630  
Tel: (916) 351-4400  
Fax: (916) 608-7222  
[aivancovich@caiso.com](mailto:aivancovich@caiso.com)

Counsel for the California Independent  
System Operator Corporation

Dated: July 9, 2021

## CERTIFICATE OF SERVICE

I certify that I have served the foregoing document upon the parties listed on the official service list in the captioned proceedings, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Folsom, California this 9<sup>th</sup> day of July, 2021.

*/s/ Jacqueline Meredith*  
Jacqueline Meredith