

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

California Independent System
Operator Corporation
Docket No. ER03-1217-000
October 14, 2003

Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007-5116

Attention: Julia Moore, Esquire
Attorney for California Independent
System Operator Corporation

Reference: Amendment to Transmission Control Agreement

Dear Ms. Moore:

On August 15, 2003, you submitted for filing, on behalf of the California Independent System Operator Corporation (CA ISO), Trans-Elect NTD Path 15, LLC, and the current Participating Transmission Owners (PTOs),¹ revisions to the Transmission Control Agreement between these parties to identify the transmission entitlements in the proposed Path 15 Upgrade Project that Trans-Elect intends to turn over to the CA ISO's Operational Control when these facilities are energized. Waiver of the Commission's notice requirements is granted and the revised tariff sheets are accepted for filing to become effective upon notice after January 1, 2004.² The rate schedule designations included in the filing are correct.

¹ The current PTOs include Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and the Cities of Anaheim, Azusa, Banning, Riverside, and Vernon, California.

² In accordance with the CA ISO Tariff, transmission owners may obtain PTO status effective only January 1 or July 1 of a calendar year. In its request for waiver of the Commission's notice requirements, the CA ISO states that Trans-Elect's lenders have imposed a condition precedent to closing of the financing for construction of the Path 15 Upgrade Project on commencement of the FERC approval process. The CA ISO states that it will issue notice of the actual effective date of these revised tariff sheets when: (1) the CA ISO accepts operational control of the Trans-Elect entitlements, and (2) Trans-Elect files its TO Tariff and Transmission Revenue Requirement with the Commission,

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This filing was noticed on August 20, 2003, with protests, comments, or motions to intervene due on or before September 5, 2003. No protests or adverse comments were received. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant 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 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 the 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,

Jamie Simler, Director
Division of Tariffs and Market
Development - West

cc: All Parties

with the effective date being conditional on Commission approval of Trans-Elect's TO Tariff and Transmission Revenue Requirement.