



April 5, 2006

**VIA ELECTRONIC FILING**

The Honorable Magalie R. Salas  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

**Re: Mirant Potrero, LLC  
Docket No. ER06-728-000**

Dear Secretary Salas:

Transmitted herewith for electronic filing in the above-referenced proceedings is the Motion to Intervene One Day Out-of-Time of the California Independent System Operator Corporation.

Thank you for your attention to this matter.

Yours truly,

**/s/ Sidney Mannheim Davies**  
Sidney Mannheim Davies  
Assistant General Counsel  
Counsel for the California Independent  
System Operator Corporation

Enclosure

cc: Service List

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

**Mirant Potrero, LLC**

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**Docket No. ER06-728-000**

**MOTION TO INTERVENE ONE DAY OUT-OF-TIME OF THE  
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION**

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.214, and the Commission’s March 21, 2006, Notice of Filing, the California Independent System Operator Corporation (“CAISO”) submits this Motion to Intervene One Day Out of Time in the above captioned proceeding. In support thereof, the CAISO states as follows:

**I. DESCRIPTION OF THE PROCEEDING**

On March 14, 2006, Mirant Potrero, LLC (Mirant) submitted revisions to its Must-Run Service Agreement with CAISO.

By its Notice issued March 21, 2006, the Commission established April 4, 2006, as the date motions to intervene are to be filed in the above-captioned proceeding.

**II. DESCRIPTION OF THE ISO AND COMMUNICATIONS**

The CAISO is a non-profit public benefit corporation organized under the laws of the State of California with its principal place of business at 151 Blue Ravine Road, Folsom, CA 95630. The CAISO is the Control Area operator responsible for the reliable operation of the electric grid comprising the transmission systems of a number of utilities including Pacific Gas and Electric

Company (“PG&E”) as well as the coordination of the ancillary services and real-time electricity markets in California.

The CAISO requests that all communications and notices concerning this motion and these proceedings be provided to:

Sidney Mannheim Davies  
Assistant General Counsel  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
Tel: (916) 608-7144  
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Robert C. Kott  
Manager of Model and Contract  
Implementation  
California Independent System  
Operator Corporation  
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E-mail: rkott@caiso.com

### **III. CAISO’S INTEREST**

Mirant’s RMR Units are located within PG&E’s transmission system and are needed to maintain the reliability of the ISO Controlled Grid. As the Control Area operator and as the counter party to the RMR Agreement, the CAISO has a unique interest in any Commission proceeding that affects an RMR Agreement. Accordingly, the CAISO has a direct and substantial interest in this proceeding and requests that it be permitted to intervene. Because no other party can adequately represent the CAISO’s interests in this proceeding, the CAISO’s intervention is in the public interest and should be granted.

### **IV. MOTION TO INTERVENE OUT OF TIME**

Due to an administrative oversight, the CAISO failed to file this motion by the date specified in the March 21, 2006 Notice of Filing. Given the early status of the proceeding, however, no party will be prejudiced by the granting of the motion.

**V. CONCLUSION**

For the foregoing reasons, the CAISO respectfully requests that the Commission grant this Motion to Intervene and make the CAISO a party in the above-caption proceeding with full rights of participation.

Dated: April 5, 2006

Respectfully submitted

**/s/ Sidney Mannheim Davies**  
Sidney Mannheim Davies  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
(916) 608-7144 (tel)  
(916) 608-7222 (fax)

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this 5th day of April 2006, caused to be served a copy of the forgoing document upon all parties listed on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

**/s/ Sidney Mannheim Davies**  
Sidney Mannheim Davies