

March 2, 2005

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

> Re: California Independent System Operator Corporation Compliance Filing Docket Nos. ER98-997-003, ER98-1309-002, ER02-2297-002, and ER02-2298-002

Dear Secretary Salas:

The California Independent System Operator Corporation ("ISO")¹ respectfully submits six copies of this filing in compliance with the Commission's "Order on Compliance Filing" issued on February 11, 2005, in the above-identified dockets, 110 FERC ¶ 61,122 (2005). In the Order on Compliance Filing, the Commission conditionally accepted the ISO's proposed revisions to its *pro forma* Participating Generator Agreement designed for Qualifying Facilities ("QF PGA") and directed the ISO to make certain specific revisions to Section 4.1.2 of the *pro forma* QF PGA.

With respect to Section 4.1.2, the Commission ordered that the ISO delete the phrase "and peak MW value of the Self-provided Load served by the Net Scheduled QF." As Attachment A hereto, the ISO is submitting a substitute original sheet number 396E of the ISO Tariff incorporating the revised version of Section 4.1.2. The ISO is also providing, as Attachment B, a blackline of the change included in this filing.

Attachment C to this filing contains a form notice of this filing, suitable for publication in the Federal Register, along with a computer diskette containing the Notice.

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Capitalized terms not otherwise defined herein are used in the sense given in the Master Definitions Supplement, Appendix A to the ISO Tariff.

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Two additional copies of this compliance filing are enclosed to be date-stamped and returned to our messenger. The ISO is serving copies of this filing on all parties on the official service list for the captioned dockets. In addition, the ISO is posting this filing on the ISO Home Page. If there are questions concerning the filing, please contact the undersigned.

Respectfully submitted,

Charles F. Robinson

General Counsel Geeta O. Tholan

Regulatory Counsel

California Independent System

Operator Corporation

151 Blue Ravine Road

Folsom, CA 95630 Tel: (916) 351-7500

Fax: (916) 608-7222

Counsel for the California Independent System Operator Corporation

ATTACHMENT A

Substitute Original Sheet No. 396E

3.2 Termination

- 3.2.1 Termination by ISO. Subject to Section 5.2, the ISO may terminate this Agreement by giving written notice of termination in the event that the Participating Generator commits any material default under this Agreement and/or the ISO Tariff which, if capable of being remedied, is not remedied within thirty (30) days after the ISO has given, to the Participating Generator, written notice of the default, unless excused by reason of Uncontrollable Forces in accordance with Article X of this Agreement. With respect to any notice of termination given pursuant to this Section, the ISO must file a timely notice of termination with FERC. The filing of the notice of termination by the ISO will be considered timely if: (1) the request to file a notice of termination is made after the preconditions for termination have been met, and (2) the ISO files the notice of termination within 30 days after receipt of such request. This Agreement shall terminate upon acceptance by FERC of such a notice of termination.
- 3.2.2 Termination by Participating Generator. In the event that the Participating Generator no longer wishes to schedule Energy or provide Ancillary Services through a Scheduling Coordinator over the ISO Controlled Grid, it may terminate this Agreement, on giving the ISO ninety (90) days written notice, provided, however, that in accordance with Section 4.1.3, the Participating Generator may modify Schedule 1 to eliminate generating resources which it no longer owns or no longer has contractual entitlement to and such modification shall be effective upon receipt by the ISO. With respect to any notice of termination given pursuant to this Section, the ISO must file a timely notice of termination with FERC. The filing of the notice of termination by the ISO will be considered timely if: (1) the request to file a notice of termination is made after the preconditions for termination have been met, and (2) the ISO files the notice of termination within 30 days of receipt of such request. This Agreement shall terminate upon acceptance by FERC of such a notice of termination.

ARTICLE IV GENERAL TERMS AND CONDITIONS

4.1 Net Scheduled QFs

- **4.1.1 Identification of Net Scheduled QF.** The Participating Generator has identified the Net Scheduled QF that it owns, operates or has a contractual entitlement to, in Schedule 1, as required by Section 5.3 of the ISO Tariff.
- **4.1.2 Technical Characteristics.** The Participating Generator shall provide to the ISO the required information regarding operating contacts, rated capacity, and operating characteristics of the Net Scheduled QF. Pursuant to Section 2.5.25 of the ISO Tariff, and the Existing QF Contract, if any, associated with that Net Scheduled QF, the ISO may verify, inspect and test the capacity and operating characteristics of the Net Scheduled QF. The performance of such inspection or test shall be conducted at a time mutually agreed upon by the Parties, which agreement shall not unreasonably be withheld.
- 4.1.3 Notification of Changes. Sixty (60) days prior to changing any technical information in Schedule 1, the Participating Generator shall notify the ISO of the proposed changes. Pursuant to Section 2.5.25 of the ISO Tariff, the ISO may verify, inspect and test the capacity and operating characteristics; provided that the performance of such inspection or test is conducted at a time mutually agreed upon by the Parties, which agreement shall not unreasonably be withheld. The ISO shall post on the ISO Home Page a schedule showing, for at least one year in advance: (i) the proposed dates on which the ISO's Master File will be updated, which dates shall occur at least every three months; (ii) the dates on which the information contained in the revised Master File will become effective; and (iii) the deadlines by which changed technical information must be submitted to the ISO in order to be tested and included in the next scheduled update of the ISO's

Issued by: Charles F. Robinson, Vice President and General Counsel

Issued on: March 2, 2005 Effective: October 21, 2004

Filed to comply with order of the Federal Energy Regulatory Commission, Docket Nos. ER98-997-003, et lineared February 11, 2005, 110 FFRC 11, 122

al., issued February 11, 2005, 110 FERC ¶ 61,122.

ATTACHMENT B

4.1.2 Technical Characteristics. The Participating Generator shall provide to the ISO the required information regarding operating contacts, rated capacity, <u>and</u> operating characteristics of the Net Scheduled QF, and peak MW value of the Self-provided Load served by the Net Scheduled QF. Pursuant to Section 2.5.25 of the ISO Tariff, and the Existing QF Contract, if any, associated with that Net Scheduled QF, the ISO may verify, inspect and test the capacity and operating characteristics of the Net Scheduled QF. The performance of such inspection or test shall be conducted at a time mutually agreed upon by the Parties, which agreement shall not unreasonably be withheld.

ATTACHMENT C

NOTICE OF FILING SUITABLE FOR PUBLICATION IN THE FEDERAL REGISTER

UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

California Independent System Operator Corporation)	Docket Nos. ER98-997-003 ER98-1309-002
California Independent System Operator Corporation)	Docket Nos. ER02-2297-002 ER02-2298-002
Noti	ice of Fi	iling _
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Take notice that on March 2, 2005, the California Independent System Operator Corporation (ISO) submitted a filing in compliance with the Commission's February 11, 2005 "Order on Compliance Filing," issued in the captioned dockets, 110 FERC \P 61,122.

The ISO states that this filing has been served upon all parties on the official service list for the captioned docket. In addition, the ISO has posted this filing on the ISO Home Page.

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's web site at http://www.ferc.gov, using the eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866)208-3676, or for TTY, contact (202)502-8659. Protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Comment	Date:	
Comment	Date:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in the above-captioned proceeding.

Dated at Folsom, California, on this 2nd day of March, 2005.

Geeta O. Tholan