

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

Dynergy Oakland, LLC

)

Docket No. ER17-246-000

**MOTION OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR
CORPORATION AND PACIFIC GAS AND ELECTRIC COMPANY TO
WITHDRAW JOINT PROTEST**

Pursuant to Rules 212 and 216 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. §§ 385.212, 216, the California Independent System Operator Corporation (“CAISO”) submits in the captioned proceeding this Motion to Withdraw the Joint Protest on behalf of itself and Pacific Gas and Electric Company (“PG&E”).

I. Background and Description of the Proceeding

On October 31, 2016, Dynergy Oakland, LLC (“Dynergy Oakland”) submitted, pursuant to Section 205 of the Federal Power Act,¹ its annual filing proposing revisions to its Reliability Must-Run (“RMR”) Service Agreement (“RMR Agreement”) with the CAISO, along with its annual informational filing to support its proposed changes to the Annual Fixed Revenue Requirement (“AFRR”). This annual filing, made in response to the CAISO’s notice to Dynergy to extend the RMR Agreement for the 2017 contract year, is required by Section 4.11 of the RMR Agreement. The Commission issued a Combined Notice of Filings setting November 21, 2016 as the deadline for interventions and protests in this proceeding. CAISO and PG&E filed interventions.

¹ 16 U.S.C. §§ 824d and 824e.

On November 18, 2016, CAISO and PG&E filed a Joint Protest in this docket.² The Joint Protest was filed because CAISO and PG&E needed additional information in order to determine whether certain elements of the AFRR were just and reasonable. The Joint Protest requested that the Commission provide all parties with a reasonable opportunity, until January 31, 2017, to resolve the issues before initiating either a hearing or settlement judge procedures.

II. Motion to Withdraw

Since the filing of the Joint Protest, CAISO, PG&E and Dynegy Oakland have discussed the issues raised in the Joint Protest. Dynegy Oakland provided additional information which allowed CAISO and PG&E to better understand the cost components of the filing. As a result, CAISO and PG&E are now satisfied that Dynegy Oakland's proposed AFRR is just and reasonable. Therefore, CAISO and PG&E respectfully move to withdraw the Joint Protest in accordance with Rules 212 and 216 of the Commission's Rules of Practice and Procedure.

Respectfully submitted,

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² *Dynegy Oakland, LLC*, Joint Protest of the California Independent System Operator Corporation and Pacific Gas and Electric Company, Docket No. ER17-246-000 (filed November 18, 2016) ("Joint Protest").

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Counsel for
California Independent System
Operator Corporation

Dated: December 21, 2016

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of December, 2016 caused to be served a copy of the forgoing Joint Protest upon all parties listed on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

/s/Allison Hellreich

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