

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

California Independent System Operator  
Corporation

Docket No. ER01-889-012

California Independent System Operator  
Corporation

Docket No. ER01-3013-004

San Diego Gas & Electric Company,  
Complainant

Docket No. EL00-95-059

v.

Sellers of Energy and Ancillary Services  
Into Markets Operated by the California  
Independent System Operator and the  
California Power Exchange,  
Respondents

ORDER OF CHIEF JUDGE CONTINUING SUSPENSION  
OF PROCEEDINGS AND ORDERING STATUS REPORTS

(Issued December 12, 2008)

1. By order issued on November 18, 2008, the Chief Judge directed the parties to file a further report on the progress of the settlement negotiations and whether the procedural schedule should be reestablished in these proceedings.

2. The California Independent System Operator Corporation (CAISO), on behalf of the active parties,<sup>1</sup> (the Parties), reported that: (1) the outcome of these proceedings depend on the outcome of the California Refund Proceedings; (2) the California Refund Proceeding is ongoing and there are still calculations left to be performed before final balances can be determined, the outcome of which partly depends on the resolution of certain issues pending before the Commission; (3) and this case shall continue in suspension until the Commission issues an order in Docket Nos. EL00-95-045, *et al.* that establishes the final balances of those entities that participated in markets operated by the CAISO during the Refund Period.

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<sup>1</sup> CAISO defines the active parties as the CAISO, California Department of Water Resources (CDWR), Pacific Gas and Electric Company (PG&E), the Sacramento Municipal Utility District (SMUD), Modesto Irrigation District (MID), Cities of Santa Clara and Redding, California, and Powerex Corporation.

3. Under these circumstances, the Chief Judge finds that it is in the public interest to continue the suspension of the procedural schedule in this case pending final Commission determination of the Refund Proceeding. Accordingly, these proceedings will continue in suspension until the Commission issues an order in Docket No. EL00-95-045, *et al.* that establishes the final balances of the entities that participated in the markets operated by the CAISO during the Refund Period. The CAISO shall file further status reports every 90 days. The CAISO shall provide the Chief Judge with an electronic copy of all status reports at [curtis.wagner@ferc.gov](mailto:curtis.wagner@ferc.gov).

Curtis L. Wagner, Jr.  
Chief Administrative Law Judge