

CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION

Docket No. ER01-313-000, et al.
CAC/EPUC's Responses to the CAISO's
Second Set of Discovery Requests

ISO-CAC/EPUC-14:

In her objections to ISO-CAC/EPUC-1, ISO-CAC/EPUC-3, ISO-CAC/EPUC-3, and ISO-CAC/EPUC-13, counsel for CAC/EPUC stated that CAC/EPUC has no data pertaining to individual members.

(a) Please admit or deny that CAC-EPUC has no data regarding individual members of CAC/EPUC that is responsive to ISO-CAC/EPUC-1, ISO-CAC/EPUC-3, ISO-CAC/EPUC-3, or ISO-CAC/EPUC-13.

(b) Please admit or deny that Mr. James A. Ross has no data regarding individual members of CAC/EPUC that is responsive to ISO-CAC/EPUC-1, ISO-CAC/EPUC-3, ISO-CAC/EPUC-3, or ISO-CAC/EPUC-13.

Response:

(a) CAC/EPUC has no individual data.

(b) Mr. Ross' testimony does not rely upon any individual data.

Response Prepared By: James A. Ross and Legal Counsel for CAC/EPUC
Date: October 5, 2001

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ISO-CAC-EPUC-15:

In his April 4th testimony, Mr. James A. Ross testifies that “QF’s have been assessed and have paid an appropriate portion of the GMC in a non-discriminatory manner since the inception of the charge through their retail standby service.” Exh. No. CAC-2 at 12. In CAC/EPUC’s objections to ISO-CAC/EPUC-1 (which requested information regarding the entities that provides standby service to CAC/EPUC members) and ISO-CAC/EPUC-2 (which request data on the energy consumed under standby tariffs by CAC/EPUC members), counsel for CAC/EPUC stated that CAC/EPUC has no data pertaining to individual members. Inasmuch as CAC/EPUC has no information regarding the whether any member of CAC/EPUC take standby service and, if so, in what amount –

(a) please state any and all factual bases for Mr. Ross’s conclusion that any QFs have paid for GMC through retail standby service;

(b) please state any and all factual bases for Mr. Ross’s conclusion that the amount paid is appropriate;

(c) please provide any and all documents and other materials relied on by Mr. Ross to support his contention described above; and

(d) please admit or deny the Mr. Ross did not rely on any data regarding individual members of CAC or EPUC to support his contentions described above.

Response:

(a) The conclusion is based on the provisions of the IOUs’ retail tariffs applicable to QFs as a class.

(b) In the context of Mr. Ross’ testimony, the term “appropriate” refers to the non-discriminatory assessment of GMC charges on a per unit basis to all retail end-use customers based on their “net metered” electrical energy consumption. The factual basis is found in the provisions of the IOUs’ retail tariffs applicable to QFs as a class.

(c) The provisions of the IOUs’ retail tariffs applicable to QFs as a class are located on the IOUs’ web pages.

(d) Admit. Mr. Ross’ testimony addresses the reliability of QFs as a class and not on an individual project basis. Accordingly, individual member data is not necessary to support the testimony.

Response Prepared By: James A. Ross

Date: October 5, 2001

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ISO-CAC/EPUC-16:

In his April 4th testimony, Mr. James A. Ross testifies regarding "maintenance" power and "back-up" power that "The CPUC regulated utilities provide both types of power under a "standby service" schedule. Exh. No. CAC-2 at 19. In CAC/EPUC's objections to ISO-CAC/EPUC-1 (which requested information regarding the entities that provides standby service to CAC/EPUC members) and ISO-CAC/EPUC-2 (which request data on the energy consumed under standby tariffs by CAC/EPUC members), counsel for CAC/EPUC stated that CAC/EPUC has no data pertaining to individual members. Inasmuch as CAC/EPUC has no information regarding whether any member of CAC/EPUC take standby service and, if so, in what amount –

(a) please state any and all factual bases for Mr. Ross's conclusion that any QFs receive maintenance and back-up power through standby-service;

(b) please provide any and all documents and other materials relied on by Mr. Ross to support his contention described above; and

(c) please admit or deny the Mr. Ross did not rely on any data regarding individual members of CAC or EPUC to support his contentions described above.

Response:

(a) The provisions of the IOUs' retail tariffs applicable to QFs as a class.

(b) The provisions of the IOUs' retail tariffs applicable to QFs as a class are located on the IOUs' websites.

(c) Admit. Mr. Ross' testimony addresses the reliability of QFs as a class and not on an individual project basis. Accordingly, individual member data is not necessary to support the testimony.

Response Prepared By: James A. Ross and Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-17:

In his April 4th testimony, Mr. James A. Ross testifies that “QF’s have been assessed and have paid an appropriate portion of the GMC in a non-discriminatory manner since the inception of the charge through their retail standby service.” Exh. No. CAC-2 at 12. Mr. Ross then testifies “Accordingly, the total retail load scheduled by the UDC’s includes a component for standby service (i.e. load resulting from QF forced and scheduled outages)... .” Exh. No. CAC-2 at 19. In addition, Mr. Ross states “The highly reliable nature of self-generation results in the total standby service energy (not just the deviation from scheduled load attributable to standby service) being nothing more than undiscernable “noise” in comparison to the total energy scheduled by PG&E.” CAC-2 at 20. In CAC/EPUC’s objections to ISO-CAC/EPUC-1 (which requested information regarding the entities that provides standby service to CAC/EPUC members) ISO-CAC/EPUC-2 (which request data on the generating capacity and the energy consumed under standby tariffs by CAC/EPUC members), and ISO-CAC/EPUC-3 (which requested data regarding the outages of CAC/EPUC members) counsel for CAC/EPUC stated that CAC/EPUC has no data pertaining to individual members. Inasmuch as CAC/EPUC has no information regarding the frequency, length of generators owned by members of CAC/EPUC, or the MW capacity of those generators –

- (a) please state any and all factual bases for Mr. Ross’s conclusion that self-generation is “highly reliable”;*
- (b) please state any and all factual bases for Mr. Ross’s conclusion that total standby energy is nothing but “undiscernable noise”; and*
- (c) please provide any and all documents and other materials relied on by Mr. Ross to support his contentions described above; and*
- (d) please admit or deny the Mr. Ross did not rely on any data regarding individual members of CAC or EPUC to support his contentions described above.*

Response:

- (a) PG&E’s 1999 average system load and the average standby class load data; personal knowledge of natural gas fired cogeneration operation; review of NERC GADS data; personal knowledge of QF and utility system reliability.*
- (b) See CAC-2 at pages 20 through 22 for discussion of PG&E’s average system load and average standby class load.*
- (b) The attached spreadsheet contains PG&E’s 1999 load data. The NERC GADS data is available on the NERC website. An electronic copy of the Research Summary of the*

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report entitled Reliability of Natural Gas Cogeneration Systems is attached; a complete copy of the report is available by request.

(d) Admit. Mr. Ross' testimony addresses the reliability of QFs as a class and not on an individual project basis. Accordingly, individual member data is not necessary to support the testimony.

Response Prepared By: James A. Ross

Date: October 5, 2001

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ISO-CAC/EPUC-18:

Mr. Ross states in this April 4, 2001 Direct Testimony that the GMC proposal “unreasonably eliminates the ability of a consumer installing Self-generation to capture the financial benefits associated with industrial site sufficiency and thus may totally eliminate Distributed Generation as a viable customer option. Indeed, the CAISO’s discriminatory policies on self-generation, if implemented, may reduce benefit [sic] that can be recaptured by the customer to such a level that customers are forced to purchase power off the grid from large, more remotely located generation.” Exh. No. CAC-2 at 23-24 and states that the ISO’s GMC proposal “discourages the development of Distributed Generation and QFs used in providing self-generation... .” Exh. No. CAC-2 at 25. In CAC/EPUC’s August 17, 2001 Cross-Answering testimony, Mr. Ross argues that the effects of the ISO’s GMC “could result in a reduction in available capacity due to the islanding of existing self-generation QFs with capacity in excess of the on-site electrical energy consumption and the discouragement of new development.” CAC-4 at 20. In ISO-CAC/EPUC-13, the ISO requested information for each member of CAC and EPUC regarding (i) the megawatt hours of energy sold to the California PX or to a Utility Distribution Company by each individual member of CAC or EPUC during each month of calendar years 1999 and 2000; (ii) the variable costs of producing such energy; and (iii) the revenue received by the member of CAC or EPUC [sic] for such energy. In CAC/EPUC’s objection to ISO-CAC/EPUC-13, counsel for CAC/EPUC stated that CAC/EPUC has no data pertaining to individual members. Inasmuch as CAC/EPUC has no information regarding the energy sold by its members, the costs of producing that energy, and the revenues therefrom –

(a) please state any and all factual bases for Mr. Ross’s conclusion that the proposed GMC charge “unreasonably eliminates the ability of a consumer installing Self-generation to capture the financial benefits associated with industrial site sufficiency”;

(b) please state any and all factual bases for Mr. Ross’s conclusion that “may reduce benefit [sic] that can be recaptured by the customer to such a level that customers are forced to purchase power off the grid from large, more remotely located generation”;

(c) please state any and all factual bases for Mr. Ross’s conclusion that the ISO’s GMC “could result in a reduction in available capacity due to the islanding of existing self-generation QFs with capacity in excess of the on-site electrical energy consumption and the discouragement of new development;”

(d) please provide any and all documents, specifically including any spreadsheets, financial analyses, or calculations, and other materials relied on by Mr. Ross to support his contentions described above; and

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(e) please admit or deny the Mr. Ross did not rely on any data regarding individual members of CAC or EPUC to support his contentions described above.

Responses:

(a) to (e) These data requests mischaracterize the testimony of Mr. Ross.

Response Prepared By: James A. Ross

Date: October 5, 2001

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ISO-CAC/EPUC-19:

Please confirm that the current, complete membership of CAC, which CAC states that it "represents", Exh. No. CAC-2 at 1, is still the following and provide a current mailing address for each:

- *Coalinga Cogeneration Company*
- *Kern River Cogeneration Company*
- *Mid-Set Cogeneration Company*
- *Midway Sunset Cogeneration Company*
- *Sycamore Cogeneration Company*
- *Texaco Kern Field Projects*
- *Sargent Canyon Cogeneration Company*
- *Salinas River Cogeneration Company*
- *Texaco North Midway Cogeneration Project*
- *Texaco McKittrick Cogeneration Project*

Response:

The list is correct for purposes of this proceeding. For the purpose of receiving legal documents related to this proceeding, including summons, the San Francisco law office of Alcantar & Kahl, LLP, is the current mailing address for each individual member.

Response Prepared By: Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-20:

If the above list in ISO-CAC/EPUC-19 is not accurate, please provide a current list of CAC's members with addresses.

Response:

Not applicable.

Response Prepared By: Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-21:

Please confirm that the current, complete list of companies whose interests EPUC is "representing" in this proceeding, Exh. No. CAC-2 at 2, consists of the following and provide a current mailing address for each:

- *Aera Energy, LLC*
- *Atlantic Richfield Company*
- *Chevron U.S.A., Inc.*
- *Equillon Enterprises, LLC*
- *Tosco Corporation*

Response:

For purposes of this proceeding, this is a current list of EPUC's membership. For the purpose of receiving legal documents related to this proceeding, including summons, the San Francisco law office of Alcantar & Kahl, LLP, is the current mailing address for each individual member.

Response Prepared By: Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-22

If the above list in ISO-CAC/EPUC-21 is not accurate, please provide a current list of the companies EPUC is representing in this proceeding with addresses.

Response: See prior response.

Response Prepared By: Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-23:

With reference to ISO-CAC/EPUC-4, Admit or Deny: California's investor-owned utilities are the entities ultimately responsible for defining the ISO's load responsibility.

Response:

Deny.

Response Prepared By: James A. Ross and Legal Counsel for CAC/EPUC

Date: October 5, 2001

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ISO-CAC/EPUC-24:

If the answer to ISO-CAC/EPUC-23 is "admit," please provide all supporting documents or other materials relied upon for this contention.

Response:

Not applicable.

Response Prepared By: James A. Ross

Date: October 5, 2001