

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

Dynergy Oakland, LLC

)

Docket No. ER20-270-000

**NOTICE OF WITHDRAWAL OF THE JOINT PROTEST
OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR
CORPORATION AND PACIFIC GAS AND ELECTRIC COMPANY**

Pursuant to Rule 216 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.216, the California Independent System Operator Corporation (“CAISO”) submits in the captioned proceeding this Notice of Withdrawal of 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, 2019, as amended by an errata filing on November 21, 2019, 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 2020 contract year, is required by Section 4.11 of the RMR Agreement.

The Commission issued a Combined Notice of Filings setting November 21, 2019 as the deadline for interventions and protests in this proceeding. The CAISO

¹ 16 U.S.C. §§ 824d and 824e.

and PG&E filed interventions. Subsequently, on November 21, 2019, the CAISO and PG&E filed a Joint Protest in this docket. The Joint Protest was filed because the CAISO and PG&E needed additional information in order to determine whether certain elements of the AFRR were just and reasonable. The CAISO and PG&E specifically sought additional information regarding costs reflected in Table D-0 and Table D-1, Start-Up Costs, and information that would enable them to understand all of the cost components of Dynegy Oakland's Schedule F filing. The Joint Protest requested that the Commission provide all parties with a reasonable opportunity, until January 31, 2020, to resolve the issues before initiating either a hearing or settlement judge procedures.

II. Notice of Withdrawal

Since the filing of the Joint Protest, the CAISO, PG&E and Dynegy Oakland have discussed the issues raised in the Joint Protest. Dynegy Oakland provided additional information which allowed the CAISO and PG&E to better understand the cost components that increased in the AFRR as compared to 2019. Following these discussions, Dynegy Oakland submitted a revised AFRR filing on February 19, 2020. As a result, the CAISO and PG&E are now satisfied that Dynegy Oakland's proposed AFRR is just and reasonable. Therefore, the CAISO and PG&E hereby withdraw the Joint Protest in accordance with Rule 216 of the Commission's Rules of Practice and Procedure.

Respectfully submitted,

/s/ Noelle R. Formosa

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Counsel for the
California Independent System
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Dated: February 20, 2020

CERTIFICATE OF SERVICE

I hereby certify that I have this 20th day of February, 2020 caused to be served a copy of the forgoing Notice of Withdrawal of 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/ Kevin M. Downey

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