

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

**California Independent System) Docket Nos. ER06-615-016 and
Operator Corporation) ER08-367-000**

**MOTION TO MODIFY EFFECTIVE DATE OF TARIFF SHEETS OF THE
CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION**

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.212, the California Independent System Operator Corporation (“CAISO”) submits this motion to modify the effective date of the clean tariff sheets contained in the filing the CAISO submitted in the above-referenced proceedings on December 21, 2007 (“December 21 Filing”).

I. BACKGROUND

The December 21 Filing includes a proposed replacement version of the CAISO’s Market Redesign & Technology Upgrade (“MRTU”) Tariff that comprises clean tariff sheets bearing a proposed effective date of March 31, 2008. Subsequent to the submittal of the December 21 Filing, shortly before the scheduled resumption of MRTU market simulation scheduled for January 2, 2008, the CAISO announced that MRTU market simulation would not resume on January 2, 2008 due to system stability issues and, therefore, that the CAISO was no longer on track to implement MRTU on March 31, 2008. Accordingly, the

proposed effective date of March 31, 2008 found on the tariff sheets in the December 21 Filing is no longer applicable.

At the time of the announcement of the delay in MRTU implementation, the CAISO also indicated that it would not be able to announce a new date for MRTU launch until such time that system stability was achieved and after several weeks of successful resumption of market simulation. Although the CAISO was able to resume market simulation activities on February 19, 2008, at present the CAISO is unable to determine the new MRTU implementation date because further market simulation must first be completed. The CAISO will promptly notify the Commission and Market Participants in writing once the new MRTU implementation date, and thus the new effective date of the MRTU Tariff, is determined.

II. REQUEST TO MODIFY EFFECTIVE DATE OF CLEAN TARIFF SHEETS CONTAINED IN THE DECEMBER 21 FILING

Due to the delay in the implementation of MRTU, the CAISO moves to modify the effective date of the clean tariff sheets contained in the December 21 Filing. As explained above, currently the CAISO is unable to determine the new effective date of the tariff sheets, but it is now certain they will not become effective as of March 31, 2008 as stated on the tariff sheets. The CAISO will notify the Commission in writing as soon as the new effective date of the tariff sheets is known. Good cause exists for the Commission to grant this motion because it will accommodate the new effective date of MRTU. Moreover, granting the motion is consistent with the Commission's approval of the

extension of the effective date of tariff sheets of another Independent System Operator, the Midwest Independent Transmission System Operator (“Midwest ISO”), to accommodate a delay in the start of the Midwest ISO’s Day 2 operations in 2005.¹

The CAISO also requests waiver, if necessary, of Section 35.3 of the Commission’s regulations, 18 C.F.R. § 35.3, to permit the tariff sheets contained in the December 21 Filing to become effective more than 120 days after the date the December 21 Filing was submitted. Granting a waiver in this instance would be consistent with the similar waivers of Section 35.3 that the Commission has granted for other MRTU tariff filings.²

¹ See *Midwest Independent Transmission System Operator, Inc.*, 110 FERC ¶ 61,169 (2005).

² For example, the CAISO, in its original filing of the MRTU Tariff in Docket No. ER06-615-000 on February 9, 2006, requested waiver of Section 35.3 to permit the clean sheets contained in that filing to be made effective as of November 1, 2007, *i.e.*, more than 120 days later. Transmittal Letter for MRTU Tariff Filing, Docket No. ER06-615-000 (Feb. 9, 2006), at 8. The Commission granted the requested waiver and conditionally accepted the MRTU Tariff effective as of November 1, 2007, subject to further modifications. *California Independent System Operator Corp.*, 116 FERC ¶ 61,274, at P 34 (2006).

III. CONCLUSION

WHEREFORE, for the foregoing reasons, the CAISO respectfully moves to modify the effective date of the clean tariff sheets contained in the December 21 Filing as described herein.

Respectfully submitted,

/s/ Sidney M. Davies

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Dated: February 29, 2008

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document upon all parties on the official service list compiled by the Secretary in the above-captioned proceedings, in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C. this 29th of February, 2008.

/s/ Bradley R. Miliauskas
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