

UNITED STATES OF AMERICA 102 FERC ¶ 61,194
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
William L. Massey, and Nora Mead Brownell.

San Diego Gas & Electric Company,)	Docket No. EL00-95-075
Complainant,)	
)	
v.)	
)	
Sellers of Energy and Ancillary Services)	
into Markets Operated by the California)	
Independent System Operator Corporation)	
and the California Power Exchange,)	
Respondent.)	
)	
Investigation of Practices of the California)	Docket No. EL00-98-063
Independent System Operator and the California))	
Power Exchange)	
)	
Puget Sound Energy, Inc., <u>et al.</u>)	Docket No. EL01-10-007
Complainant,)	
)	
v.)	
)	
All Jurisdictional Sellers of Energy and/or)	
Capacity at Wholesale into Electric Energy)	
and/or Capacity Markets in the Pacific)	
Northwest, Including Parties to the Western)	
Systems Power Pool Agreement)	
Respondent.)	

ORDER GRANTING EXTENSION OF TIME
AND DIRECTING THE RELEASE OF WORKPAPERS

(February 24, 2003)

1. On February 19, 2003, the People of the State of California, *ex rel.* Bill Lockyer, Attorney General, the California Electricity Oversight Board, the California Public Utilities Commission, Pacific Gas and Electric Company, and Southern California

Docket No. EL00-95-075, et al.

-2-

Edison Company (collectively, the California Parties) filed a motion for an extension of time to file evidence either indicative or counter-indicative of sellers' market manipulation in Docket Nos. EL00-95 and EL00-98. On February 20, 2003, the City of Tacoma, WA, and the Port of Seattle, WA (collectively, the Northwest Parties) filed a similar motion in Docket No. EL01-10.

2. In its motions, the California and Northwest Parties state that the recent snowstorms on the East Coast have impeded their efforts to assemble the materials that they intend to file. The California and Northwest Parties therefore request that the Commission postpone the filing date by one additional business day (and the intervening weekend) from February 28, 2003 to March 3, 2003.

3. On February 20, 2003, the California Generators (subsidiaries of Duke Energy, Dynegy, Mirant, Reliant, and Williams) filed in opposition to the California Parties' request for additional time, arguing that the request is unreasonable and unsupported. The California Generators also inform the Commission that the California Parties have rebuffed informal requests to provide them with workpapers for their experts. As such, the California Generators request that the California Parties be directed to provide these workpapers to them the day after the California Parties make their submission to the Commission.

4. Every day the procedural dates are extended impedes the ability of the Commission to bring resolution to this proceeding which is what the parties have asked and the industry needs. However, upon consideration of the California and Northwest Parties' motions, the Commission will grant their request for an extension of time in light of the extenuating circumstances. Additionally, in the interest of fairness, we will also grant a three-day extension to our March 17, 2003 deadline for reply comments. Accordingly, reply comments will now be due on March 20, 2003.

5. Finally, while we would expect the California Parties to voluntarily provide workpapers to the California Generators, we do not find that it is reasonable for the California Parties to be required to respond the day after they make their submission. Instead, we find that three days is reasonable.

Docket No. EL00-95-075, et al.

-3-

The Commission orders:

(A) The California and Northwest Parties' motions for an extension of time is hereby granted.

(B) The deadline for reply submissions is hereby extended until March 20, 2003.

(C) By March 6, 2003, the California Parties must provide workpapers for their experts to the California Generators.

By the Commission

(S E A L)

Magalie R. Salas,
Secretary.