

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

**California Independent System            )           Docket No. ER26-2747-000  
Operator Corporation                        )**

**MOTION FOR LEAVE TO FILE ANSWER AND ANSWER OF THE  
CALIFORNIA INDEPENDENT SYSTEM OPERATOR  
CORPORATION TO PROTESTS**

The California Independent System Operator Corporation (the “CAISO”)<sup>1</sup> answers the protests filed in this proceeding<sup>2</sup> in response to the CAISO’s June 5, 2026 filing of a tariff amendment (the “June 5 Filing”) to enhance its interconnection procedures as part of its Interconnection Process Enhancement (“IPE”) 5 stakeholder initiative. The June 5 Filing included seven sets of CAISO tariff revisions to implement policy changes, and also a number of clean-up changes to the tariff.

The protests solely concern two of the clean-up changes, both of which are severable from the rest of the changes in the June 5 Filing: (1) the proposed

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meanings set forth in Appendix A to the CAISO tariff.

<sup>2</sup> The Large-scale Solar Association (“LSA”) filed a protest and Clearway Energy Group LLC (“Clearway”) filed a limited protest. The CAISO files this answer pursuant to Rules 212 and 213 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212, 385.213. For the reasons explained in Section II below, the CAISO respectfully requests waiver of Rule 213(a)(2), 18 C.F.R. § 385.213(a)(2), to permit it to answer the LSA and Clearway protests.

In addition, the Northern California Power Agency (“NCPA”) filed comments supporting the tariff revisions to implement one of the policy changes, the CAISO’s proposal to adjust the “full allocation” option cap for load-serving entities in the interconnection request intake scoring process. See transmittal letter for June 5 Filing at 6-7. The CAISO appreciates NCPA’s comments and does not respond to them in this answer. The following entities only filed motions to intervene in the proceeding: California Department of Water Resources State Water Project, City of Santa Clara, California d/b/a Silicon Valley Power, EDF Power Solutions, Inc., Modesto Irrigation District, NextEra Energy Resources, LLC, Pacific Gas and Electric Company, Solar Energy Industries Association, and Southern California Edison Company

deletion of existing Sections 5.3.1.4 and 11.4.1.4, which concern reimbursements to Interconnection Customers for amounts advanced for Network Upgrade costs, from the GIAs (collectively, the “Section 11.4.1.4 Deletion”);<sup>3</sup> and (2) the proposed addition of Section 13.6, which concerns the treatment of shared Network Upgrades, to Appendix KK of the tariff (the “Section 13.6 Addition”). As explained below, upon consideration of the protests, the CAISO would not oppose the Commission’s rejection without prejudice of the Section 11.4.1.4 Deletion, but the Section 13.6 Addition is just and reasonable and should be approved.

## **I. Background**

The June 5 Filing contains seven independent, severable sets of CAISO tariff revisions to implement policy changes as part of the IPE 5 initiative,<sup>4</sup> as well as a number of clean-up changes described in the tariff clarifications table provided in Attachment E to the June 5 Filing.<sup>5</sup> Each of the clean-up tariff changes is severable from the others.<sup>6</sup> The CAISO explained that the clean-up changes are not intended to change established practices or materially affect the rights and obligations of the CAISO or its customers, but are instead intended to

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<sup>3</sup> The provision appears in Section 11.4.1.4 of *pro forma* Large Generator Interconnection Agreements (“LGIAs”) in Appendices EE and LL of the CAISO tariff. Substantially the same provision also appears in Section 5.3.1.4 of *pro forma* Small Generator Interconnection Agreements (“SGIAs”) in Appendices FF and MM of the CAISO tariff. The CAISO proposed to remove the provision from all of those sections in the June 5 Filing.

<sup>4</sup> Transmittal letter for June 5 Filing at 1-2.

<sup>5</sup> *Id.* at 2-3 and Attachment E.

<sup>6</sup> *Id.* at 2 n.3.

correct errors, clarify the description of existing practices, and resolve ambiguities.<sup>7</sup>

One of the clean-up changes is the Section 11.4.1.4 Deletion, which would remove the following provisions from tariff Appendices EE, FF, LL, and MM:

If the Large Generating Facility fails to achieve Commercial Operation, but it or another generating facility is later constructed and makes use of the Network Upgrades, the Participating TO shall at that time reimburse Interconnection Customer for the amounts advanced for the Network Upgrades. Before any such reimbursement can occur, the Interconnection Customer, or the entity that ultimately constructs the generating facility, if different, is responsible for identifying and demonstrating to the Participating TO the appropriate entity to which reimbursement must be made in order to implement the intent of this reimbursement obligation.<sup>8</sup>

The clean-up changes also include several interconnection enhancements that the Commission previously approved for clusters 14 and earlier clusters, pursuant to a 2024 CAISO tariff amendment to implement queue management improvements.<sup>9</sup> The CAISO proposed to implement those same improvements in the June 5 Filing for cluster 15 and subsequent clusters now that the Commission has accepted the CAISO's filing to comply with Order No. 2023.<sup>10</sup> One of these previously approved interconnection enhancements is the Section

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<sup>7</sup> *Id.* at 2-3.

<sup>8</sup> Attachment B to June 5 Filing (at red-lined deletions of Section 5.3.1.4 of Appendices FF and MM of the CAISO tariff and Section 11.4.1.4 of Appendices EE and LL of the CAISO tariff); Attachment E to June 5 Filing at 10 (proposed deletion of same sections).

<sup>9</sup> Transmittal letter for June 5 Filing at 3 (citing *Cal. Indep. Sys. Operator Corp.*, 189 FERC ¶ 61,195 (2024) (the "2024 Order")).

<sup>10</sup> Transmittal letter for June 5 Filing at 3.

13.6 Addition (quoted in its entirety in Section III.B below), which concerns the treatment of shared Network Upgrades.<sup>11</sup>

## **II. Motion for Leave to File Answer to Protests**

Pursuant to Rules 212 and 213, the CAISO respectfully requests waiver of Rule 213(a)(2) to permit it to answer the protests filed in the proceeding. Good cause for the waiver exists because this answer will aid the Commission in understanding the issues in the proceeding, inform the Commission in the decision-making process, and help to ensure a complete and accurate record in the case.<sup>12</sup>

## **III. Answer**

### **A. The CAISO Would Not Oppose Commission Rejection of the Section 11.4.1.4 Deletion without Prejudice**

Both LSA and Clearway oppose the Section 11.4.1.4 Deletion and argue it goes beyond the scope of providing a clarification and instead constitutes a substantive change affecting customer rights.<sup>13</sup> This was certainly not the CAISO's intention in proposing the Section 11.4.1.4 Deletion, which was intended solely to clarify the tariff.<sup>14</sup> Nevertheless, the CAISO recognizes the procedural concerns expressed by LSA and Clearway and, on reflection, agrees

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<sup>11</sup> Attachment E to June 5 Filing at 8 (proposed addition of Section 13.6 of Appendix KK to the CAISO tariff, which contains the CAISO's Resource Interconnection Standards).

<sup>12</sup> See, e.g., *Equitrans, L.P.*, 134 FERC ¶ 61,250, at P 6 (2011); *Cal. Indep. Sys. Operator Corp.*, 132 FERC ¶ 61,023, at P 16 (2010); *Xcel Energy Servs., Inc.*, 124 FERC ¶ 61,011, at P 20 (2008).

<sup>13</sup> LSA at 6-18; Clearway at 6-18.

<sup>14</sup> Attachment E to June 5 Filing at 10 (proposing that Section 5.3.1.4 of tariff Appendices FF and MM and Section 11.4.1.4 of tariff Appendices EE and LL be "[r]emoved for clarity"). As described in the June 5 Filing, the CAISO was concerned that these provisions may conflict with other provisions regarding reimbursement for late withdrawals from the queue.

the CAISO should not pursue Commission approval of the Section 11.4.1.4 Deletion at this time. Therefore, the CAISO would have no issue with the Commission's rejecting the Section 11.4.1.4 Deletion without prejudice—which is severable from all the other tariff changes proposed in the June 5 Filing—while accepting the rest of the tariff changes.<sup>15</sup> The CAISO may raise the tariff change reflected in the Section 11.4.1.4 Deletion for consideration in a future IPE stakeholder process.

**B. The Commission Should Accept the Section 13.6 Addition, Which Is Substantively the Same as a Previously Approved Tariff Change**

LSA also opposes the Section 13.6 Addition regarding the treatment of shared Network Upgrades.<sup>16</sup> The Commission should accept that clean-up change. As discussed in more detail below, it is substantively the same as a addition of Section 11.3.2.6 that the CAISO made to Appendix DD of the tariff in 2024 for cluster 14 and earlier clusters.<sup>17</sup> In the 2024 Order accepting the amendment, the Commission found the addition of that Section 11.3.2.6 and the other tariff changes proposed in the 2024 Filing “are just and reasonable and not unduly discriminatory or preferential, and that they meet the independent entity

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<sup>15</sup> The CAISO notes that no customer has ever used the provisions in Section 5.3.1.4 of Appendices FF and MM or Section 11.4.1.4 of Appendices EE and LL of the CAISO tariff that would be retained as a result of Commission rejection of the Section 11.4.1.4 Deletion.

<sup>16</sup> LSA at 3, 6, 8-11, 13, 18.

<sup>17</sup> See transmittal letter for CAISO tariff amendment to implement queue management proposals of IPE 2023 initiative, Docket No. ER25-131-000, at 7-9 (Oct. 17, 2024) (proposing new Section 11.3.2.6 of Appendix DD to the CAISO tariff) (the “2024 Filing”); *id.* at Attachment B (red-lined tariff revisions to implement that Section 11.3.2.6).

variation standard.”<sup>18</sup> As to the addition of Section 11.3.2.6 specifically, the Commission

accept[ed] CAISO’s proposal to unify payment and authorization schedules among interconnection customers sharing network upgrades. We find that these provisions will ensure that interconnection customers sharing a network upgrade have sufficient time to negotiate their agreements and arrange financing without the risk of one customer delaying construction to the detriment of the other customers. Additionally, we find that unifying shared network upgrade construction requirements in the GIAs [Generator Interconnection Agreements] will help ensure that transmission owners efficiently construct transmission facilities for first-ready projects.<sup>19</sup>

No party filed a request for rehearing of the 2024 Order. Thus, the Commission’s acceptance of the tariff changes in the 2024 Order is final and unappealable.

As the Commission also noted in the 2024 Order, the “CAISO states that it is not proposing to implement these enhancements for Cluster 15 and beyond to avoid overlapping Tariff revisions with CAISO’s pending Order No. 2023 compliance filing.”<sup>20</sup> The CAISO stated in the 2024 Filing that “[a]lthough the CAISO believes these tariff revisions would comply with Order No. 2023, the CAISO believes it will be more clear and simpler to file these tariff revisions based on an approved set of tariff revisions from Order No. 2023.”<sup>21</sup>

Accordingly, now that the Commission has accepted the CAISO’s Order No. 2023 compliance filing,<sup>22</sup> the CAISO proposes in the instant proceeding to

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<sup>18</sup> 2024 Order at P 7.

<sup>19</sup> *Id.* at P 16.

<sup>20</sup> *Id.* at P 3.

<sup>21</sup> Transmittal letter for 2024 Filing at 3.

<sup>22</sup> See *Cal. Indep. Sys. Operator Corp.*, 191 FERC ¶ 61,119 (2025) (order conditionally accepting CAISO filing to comply with Order No. 2023); *Cal. Indep. Sys. Operator Corp.*,

implement—for cluster 15 and subsequent clusters—essentially the same provisions as those the Commission previously approved in Section 11.3.2.6 of tariff Appendix DD for cluster 14 and earlier clusters. The only difference is that the Section 13.6 Addition uses terms that match the terminology used in Order No. 2023 regarding the provision of financial security,<sup>23</sup> as shown in the following provisions of the Section 13.6 Addition in **boldface** type and explanatory bracketed text:

Interconnection Studies and GIAs will identify when Network Upgrades are shared, and their estimated construction timelines. Once identified in the Interconnection Studies, or no later than when the first Interconnection Customer sharing the Assigned Network Upgrade executes its GIA with **[here Section 11.3.2.6 includes the added phrase “with a third posting deadline”]** for the Assigned Network Upgrade, the CAISO and Participating TO will notify the other Interconnection Customers sharing the Assigned Network Upgrade **when their provision of security under Article 11.5 of the GIA [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “when this third Interconnection Financial Security posting”]** will be required based on the construction timeline required to meet the earliest In-Service Date of the Interconnection Customers sharing the Assigned Network Upgrade. All Interconnection Customers sharing the Assigned Network Upgrade must submit (a) their authorizations to proceed with design and procurement of the shared Network Upgrade and (b) **their provision of security under Article 11.5 of the GIA [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “the third posting”]** for the shared Network Upgrade, by the same deadline. Interconnection Customers and Participating TOs may have separate posting and authorization deadlines for each shared Network Upgrade and other non-shared Network Upgrades, but Interconnection Customers sharing Assigned Network Upgrades must have the same deadlines for them. At all times, Interconnection Customers must have sufficient **Commercial Readiness Deposit, GIA Deposit, and provision of security**

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Commission letter order, Docket No. ER24-2042-001 (Nov. 21, 2025, as corrected Feb. 6, 2026) (accepting further Order No. 2023 compliance changes).

<sup>23</sup> Attachment E to June 5 Filing at 8.

**under Article 11.5 of the GIA to meet the requirements of this RIS and the GIA [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “Financial Security under this Section 11, inclusive of any second and third posting obligations”].**

All Interconnection Customers sharing the Assigned Network Upgrade must execute an engineering and procurement agreement under Section 12 or a GIA prior to submitting **their security [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “the third posting”]** for the shared Network Upgrade. Where any Interconnection Customer sharing the Assigned Network Upgrade has not executed either agreement, the Participating TO will tender (1) a draft engineering and procurement agreement if the Interconnection Customer is parked, or (2) a draft GIA or GIA amendment, to the Interconnection Customer no later than one-hundred twenty (120) days before the **provision of security [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “third posting”]** deadline. The Interconnection Customer must execute the engineering and procurement agreement or GIA or request that the GIA be filed unexecuted prior to the deadline to post. The failure by an Interconnection Customer to timely (a) execute an engineering and procurement agreement or GIA or request an unexecuted filing, (b) submit the authorization to proceed, or (c) submit the **provision of security [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “third posting”]** for the shared Assigned Network Upgrade, under this Section, will result in the Interconnection Request being deemed withdrawn and subject to Section 3.8. The Interconnection Customer will provide the CAISO and the Participating TO with written notice that it has posted the required **security [instead of the immediately preceding boldface phrase, Section 11.3.2.6 uses the phrase “Interconnection Financial Security”]** no later than the applicable final day for posting.

No later than thirty (30) days after each Interconnection Customer sharing the Assigned Network Upgrade complies with this Section, the Participating TO will commence Construction Activities on the shared Assigned Network Upgrade.<sup>24</sup>

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<sup>24</sup> Attachment B to June 5 Filing (at red-lined addition of Section 13.6 to Appendix KK of the CAISO tariff).

None of the differences shown in boldface type and bracketed text above changes the meaning of Section 11.3.2.6 of tariff Appendix DD previously approved in the 2024 Filing except to match the terminology used in Order No. 2023 regarding the provision of financial security. Therefore, just as the Commission accepted Section 11.3.2.6 in the 2024 Order, the Commission should accept the Section 13.6 Addition because it will “unify payment and authorization schedules among interconnection customers sharing network upgrades,” will “ensure that interconnection customers sharing a network upgrade have sufficient time to negotiate their agreements and arrange financing without the risk of one customer delaying construction to the detriment of the other customers,” and “will help ensure that transmission owners efficiently construct transmission facilities for first-ready projects.”<sup>25</sup>

Again, no party—including LSA—filed a request for rehearing of the 2024 Order, and thus its findings are final and non-appealable. LSA mentions the 2024 Order twice in its protest<sup>26</sup> but fails to note that the 2024 Order accepted Section 11.3.2.6 of tariff Appendix DD or the fact that Section 11.3.2.6 and the Section 13.6 Addition are substantively the same. LSA provides no reason why the Commission should not accept the Section 13.6 Addition based on the findings made in the 2024 Order in accepting the addition of Section 11.3.2.6 to the tariff.

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<sup>25</sup> 2024 Order at P 16.

<sup>26</sup> LSA at 11 n.38, 17 n.64.

The CAISO's June 5 Filing also explained that the Section 13.6 Addition continues to meet the independent entity standard because it is consistent with, and in fact supports, the Commission's directives in Order No. 2023. Without Section 13.6, projects sharing network upgrades can stall other projects ready to proceed toward construction, subverting tariff processes and negating the value of the Order No. 2023 compliance revisions.

### **III. Conclusion**

For the foregoing reasons, the CAISO would not oppose the Commission's rejection of the Section 11.4.1.4 Deletion, but the Section 13.6 Addition is just and reasonable and should be approved.

Respectfully submitted,

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Dated: July 9, 2026

## CERTIFICATE OF SERVICE

I certify that I have served the foregoing document upon the parties listed on the official service list in the captioned proceeding, 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, DC this 9<sup>th</sup> day of July, 2026.

/s/ Daniel Klein  
Daniel Klein  
Davis Wright Tremaine LLP