



July 8, 2020

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Re: California Independent System Operator Corporation
Docket No. ER20-____-000**

**Notice of Termination of Pseudo PGA with CCFC Sutter
Energy, LLC and Waiver of Notice Requirement**

Dear Secretary Bose:

Pursuant to Section 35.15(a) of the Commission's regulations,¹ the California Independent System Operator Corporation (CAISO) submits for Commission acceptance this notice of termination of the Pseudo Participating Generator Agreement (Pseudo PGA) between the CAISO and CCFC Sutter Energy, LLC (CCFC Sutter).² The CAISO respectfully requests that the Commission grant waiver of its 60-day notice requirement and accept this notice of termination effective July 1, 2020.

I. Background and Justification for Termination

The Pseudo PGA sets forth the terms and conditions pursuant to which CCFC Sutter's generating unit (Sutter Resource), which is located at a Pseudo-

¹ 18 C.F.R. § 35.15(a).

² The Pseudo PGA is designated as CAISO Service Agreement 630 under the "CAISO Non-Conforming Service Agreements" tab on the CAISO's eTariff page. The original counterparty to the Pseudo PGA was Calpine Construction Finance Company, L.P., until it assigned the Pseudo PGA to CCFC Sutter in 2013.

Tie, participates in the CAISO markets.³ The Commission accepted the currently effective version of the Pseudo PGA for filing in 2018.⁴

In 2020, the CAISO filed a Split Resource Participation Agreement between the CAISO and CCFC Sutter to set forth terms under which CCFC Sutter will split the Sutter Resource, through simple modeling and logical metering, into two generating units for purposes of participation in the CAISO markets – one generating unit participating in the energy imbalance market (EIM) as an EIM participating resource and the other in the CAISO day-ahead and real-time markets utilizing pseudo-tie functionality. The CAISO explained in the filing that following Commission acceptance of the Split Resource Participation Agreement, CCFC Sutter would execute the *pro forma* Pseudo-Tie Participating Generator Agreement set forth in the CAISO tariff (Pro Forma Agreement),⁵ and the CAISO would separately file a notice of termination of the Pseudo PGA with a requested effective date that is concurrent with the effective date of the executed Pro Forma Agreement.⁶ The Commission recently issued an order accepting the Split Resource Participation Agreement for filing, effective July 1, 2020 as requested by the CAISO.⁷

The CAISO and CCFC Sutter have executed the Pro Forma Agreement with an effective date of July 1, 2020. Accordingly, the CAISO respectfully requests that the Commission accept this notice of termination of the Pseudo PGA effective July 1 as well. Granting this effective date for the notice of termination will allow it to be concurrent with the effective date of the Pro Forma Agreement as discussed above. CCFC Sutter has authorized the CAISO to state that it does not object to terminating the Pseudo PGA effective July 1. Therefore, good cause exists for the Commission to grant waiver of the 60-day notice

³ Appendix A to the CAISO tariff defines a Pseudo-Tie as “[a] functionality by which the output of a generating unit physically interconnected to the electric grid in a Native Balancing Authority Area is telemetered to and deemed to be produced in an Attaining Balancing Authority Area that provides Balancing Authority services for and exercises Balancing Authority jurisdiction over the Pseudo-Tie generating unit.”

⁴ Commission Letter Order, Docket No. ER18-474-000 (Feb. 7, 2018). The Commission had previously accepted the original version of the Pseudo PGA for filing in Docket No. ER06-58. See *Cal. Indep. Sys. Operator Corp.*, 113 FERC ¶ 61,261 (2005); Commission Letter Order, Docket No. ER06-58-001 (Mar. 1, 2006) (accepting CAISO compliance filing).

⁵ The Pro Forma Agreement is contained in appendix B.16 to the CAISO tariff. It is predated by and differs from the Pseudo PGA.

⁶ Transmittal letter for filing of Split Resource Participation Agreement, Docket No. ER20-1702-000, at 9 & n.11 (Apr. 30, 2020).

⁷ *Cal. Indep. Sys. Operator Corp.*, 171 FERC ¶ 61,262 (2020).

requirement set forth in Section 35.15(a) of its regulations with regard to this notice of termination.⁸

II. Service

The CAISO has served copies of this filing upon CCFC Sutter, the California Public Utilities Commission, the California Energy Commission, and all parties to the proceedings in which the Commission accepted the Pseudo PGA for filing (Docket Nos. ER06-58 and ER18-474).

III. Communications

Communications and correspondence regarding this filing should be addressed to:

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⁸ Section 35.15(a) states in relevant part that a notice of termination must be filed at least 60 days prior to the requested termination date, but that for good cause shown the Commission may authorize a termination date that is prior to the date the notice of termination is filed.

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IV. Conclusion

For the reasons stated above, the CAISO respectfully requests that the Commission accept this notice of termination of the Pseudo PGA effective July 1, 2020.

Respectfully submitted,

/s/ John C. Anders

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