

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

Duke Energy Oakland, LLC and  
Duke Energy South Bay, LLC,  
Docket No. ER02-10-004  
Duke Energy South Bay, LLC,  
Docket Nos. ER98-496-014  
and ER02-239-004  
Duke Energy Oakland, LLC,  
Docket Nos. ER02-240-004  
and ER02-1478-003  
(Not Consolidated)  
May 21, 2003

Dickstein Shapiro Morin  
& Oshinsky LLP  
2101 L Street, N.W.  
Washington, D.C. 20037-1526

Attention: Mark L. Perlis, Esquire

Reference: Compliance Refund Report

Dear Mr. Perlis:

On March 6, 2003, you filed, on behalf of Duke Energy Oakland, LLC (DEO) and Duke Energy South Bay, LLC (DESB), a compliance refund report pursuant to a Commission order approving an Offer of Settlement (Settlement) filed in Docket No. ER02-10-000, et al.<sup>1</sup> The Settlement resolved all issues relating to DEO's and DESB's Year 2002 updates to their Reliability Must Run Agreements with the California Independent Operator Corporation. The Settlement also resolved one of the reserved issues left open by a previous settlement in California Independent System Operator Corp., 87 FERC ¶ 61,250 (1999).

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<sup>1</sup>Duke Energy Oakland, LLC and Duke Energy South Bay, LLC, 101 FERC ¶ 61,190 (2002).

Docket No. ER02-10-004, et al.

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Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

This action is taken pursuant to authority delegated to the Director, Division of Tariffs and Market Development - West, under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

John T. Carlson  
Acting Director, Division of Tariffs  
and Market Development - West