

Docket No. EL00-95-054 -1-

98 FERC - 61, 057
 FEDERAL ENERGY REGULATORY COMMISSION
 WASHINGTON, D.C. 20426

January 30, 2002

Docket No. EL00-95-054

Dewey Ballantine, LLP
 Attention: Zori G. Ferkin, Esq.
 Attorney for RAMCO, Inc.
 1775 Pennsylvania Ave., NW
 Washington, DC 20006-4605

Dear Ms. Ferkin:

By letter dated December 7, 2001, you submitted for filing with the Commission, on behalf of RAMCO, Inc. (RAMCO), cost justification for bids from RAMCO's Chula Vista unit submitted in the month of November 2001 for wholesale sales in the California Independent System Operator Corporation (ISO) and Western System Coordinating Council (WSCC) markets in excess of the proxy market

1

clearing price (mitigated price). RAMCO states that its filing was made pursuant to the Commission's order issued on June 19, 2001, San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange Corporation, et al., 95 FERC - 61,418 (June 19 Order), order on clarification and reh'g, 97 FERC - 61,275 (December 19,

2

2001).

RAMCO bases its cost justification for bids in November 2001 on a formula RAMCO submitted on November 7, 2001, in Docket No. EL00-95-050, with respect to its October 2001 bids. In addition, RAMCO states that it intends to base future bids from its new peaker units on this formula. For the reasons enumerated in the Commission's letter order issued on January 4, 2002, San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange Corporation, et al., 98 FERC - 61,004 (2002), which addressed

1

RAMCO requested confidential treatment for its filing pursuant to section 388.112 of the Commission's regulations. 18 C.F.R. 388.112 (2001).

2

See also San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange Corporation, et al., 95 FERC - 61,115 (2001) (April 26 Order).

Docket No. EL00-95-054

-2-

RAMCO's November 7, 2001 cost justification filing, the

3

Commission rejects the subject filing as unsupported. Consistent with the April 26 Order and the June 19 Order, RAMCO is hereby directed to refund any amounts received in excess of the mitigated price.

To the extent that other sellers in California and the rest of the WSCC had transactions in excess of the mitigated price during November 2001, and those sellers have not filed cost justifications for such transactions, the time for them to justify such transactions has lapsed, and they are not entitled to receive more than the mitigated price for such transactions.

By direction of the Commission.

Linwood A.
Watson, Jr.,

Acting
Secretary.

3

See also San Diego Gas & Electric Company v. Sellers of Energy and Ancillary Services into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange Corporation, 96 FERC - 61,254, clarified, 97 FERC - 61,061 (2001), and 97 FERC - 61,012 (2001) (timely cost justification filings rejected where suppliers fail to identify any significant change in the natural gas markets and do not document their entire gas portfolios or the allocations among all their resources during the relevant time(s)).