

# SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR  
3000 K STREET, NW, SUITE 300  
WASHINGTON, DC 20007-5116

TELEPHONE (202) 424-7500  
FACSIMILE (202) 424-7643  
WWW.SWIDLAW.COM

THEODORE J. PARADISE  
DIRECT DIAL (202) 295-8434  
TJPARADISE@SWIDLAW.COM

NEW YORK OFFICE  
THE CHRYSLER BUILDING  
405 LEXINGTON AVENUE  
NEW YORK, NY 10174  
(212) 973-0111 FAX (212) 891-9598

December 28, 2001

The Honorable Linwood A. Watson, Jr.  
Acting Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

**Re: California Independent System Operator Corporation  
Docket No. ER02-250-000**

**California Independent System Operator Corporation  
Docket No. ER02-527-000**

Dear Secretary Watson:

Enclosed for filing are one original and 14 copies of the California Independent System Operator's Motion to Consolidate the above captioned proceedings. Two additional copies of this filing have also been provided to be date/time stamped and returned to us by our messenger.

Thank you for your assistance in this matter.

Respectfully submitted,

---

Theodore J. Paradise, Esq.

Counsel for the California Independent System  
Operator Corporation

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

<b>California Independent System Operator Corporation</b>	) ) )	<b>Docket No. ER02-250-000</b>
<b>California Independent System Operator Corporation</b>	) ) )	<b>Docket No. ER02-527-000</b>

**MOTION TO CONSOLIDATE OF THE CALIFORNIA INDEPENDENT SYSTEM  
OPERATOR CORPORATION**

**I. Introduction**

Pursuant to Rule 212 of the Federal Energy Regulatory Commission’s (the “Commission”) Rules of Practice and Procedure, 18 C.F.R. § 212 (2001),<sup>1</sup> the California Independent System Operator Corporation (“ISO”) hereby submits this Motion to Consolidate an errata to its proposed 2002 Grid Management Charge (“GMC”), with the GMC filing itself, in Docket No. ER02-250-000. The errata has been assigned to Docket No. ER02-527-000.

**II. Background**

On November 2, 2001, the ISO filed with the Commission its proposed 2002 GMC, which was assigned to Docket No. ER02-250-000. As part of its proposed 2002 GMC, the ISO included several proposed changes to its tariff (“ISO Tariff”). The ISO had intended to include language in its November 2 filing to modify Appendix F, Schedule 1, Part B of the ISO Tariff, to allow for quarterly adjustment of the revenue requirement of

---

<sup>1</sup> This Motion to Consolidate is made pursuant to Rule 212, rather than Rules 501 and 503, 18 C.F.R. §§ 501, 503 under which requests for consolidation are reviewed by the Chief Administrative Law

each service category to reflect cost savings that reduce the ISO's revenue requirement, and/or to reflect unanticipated collections of fines and penalties. This provision was inadvertently omitted from the November 2 filing and was submitted as an errata on December 7, 2001 ("errata filing") in Docket No. ER02-250-000.

The Commission originally noticed the errata filing in Docket ER02-250-001 on December 12, 2001. Subsequently, the Commission re-noticed the ISO's errata filing in Docket No. ER02-527-000 on December 14, 2001. The proposed 2002 GMC in Docket No. ER02-250-000 has since been accepted for filing, suspended for a nominal period, to become effective January 1, 2002, subject to refund, and set for hearing. *See California Independent System Operator* 97 FERC ¶ 61, 303 (Dec. 20, 2001)

### **III. Discussion**

The errata filing made by the ISO on December 7, 2001 expands the use of the GMC quarterly adjustment mechanism by revising Appendix F, Schedule 1, Part B of the ISO Tariff and is therefore an integral part of the ISO's 2002 GMC proposal. In fact, references to the potential use of the new mechanism are found in the ISO's November 2 filing. *See* Ex. Nos. ISO-8 at 8; ISO-9 at 6. The proposed ISO Tariff change submitted in the errata allows for cost savings and/or unanticipated collections of fines and penalties to be passed on to the ISO's customers through reduced GMC rates through a quarterly adjustment, rather than on an annual basis, thus passing through savings to the ISO's customers more quickly.

The issues raised by the ISO's proposed change to Schedule 1, Part B of the ISO Tariff are inextricably related to the larger GMC proposal for 2002. In considering

---

Judge, as only one of the dockets that is the subject of this motion (ER02-250-000) has been set for hearing. *See Williams Pipeline Co.*, 22 FERC ¶ 63,090 at 65,311 (1983).

whether the proposed change contained in the ISO's errata filing, or the other provisions of the proposed 2002 GMC, are just and reasonable, it will be necessary to consider the effect of the ISO's errata filing on the overall GMC proposal, and vice versa. To avoid the wastefully duplicative and potentially chaotic process that will likely result if one element of the ISO's 2002 GMC proposal is reviewed out of context, the ISO respectfully requests that Docket No. ER02-527-000 be consolidated with Docket No. ER02-250-000.

#### **IV. Conclusion**

Wherefore, the ISO respectfully requests that the Commission grant the relief requested above.

Respectfully Submitted,

---

Charles F. Robinson  
General Counsel  
Stephen A. M. Morrison  
Corporate Counsel  
The California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
Tel: (916) 351-2207  
Fax: (916) 351-4436

---

J. Philip Jordan  
Julia Moore  
Theodore J. Paradise  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, NW – Suite 300  
Washington, DC 20007-5116  
Tel: (202) 424-7500  
Fax: (202) 424-7643

December 28, 2001

## **CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing document upon all parties on the official service list compiled by the Secretary in the above-captioned proceedings, 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 28<sup>th</sup> Day of December, 2001.

---

Theodore J. Paradise, Esq.  
(202) 424-7500