

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

Mirant Delta, LLC

) **Docket No. ER03-943-000**

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

Pursuant to Rules 211 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("FERC" or "Commission"), 18 C.F.R. §§ 385.211 and 385.214, and the Commission's June 12, 2003, Notice of Filing in this matter, the California Independent System Operator Corporation ("ISO") hereby files a motion to intervene in this proceeding. In support thereof, the ISO states as follows:

I. COMMUNICATIONS

Please address communications concerning this filing to the following persons:

<p>Jeanne M. Solé* Regulatory Counsel The California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630 Tel: (916) 351-4400 Fax: (916) 608-7222</p>	<p>J. Phillip Jordan* Rebecca A. Blackmer Swidler Berlin Shereff Friedman, LLP 3000 K Street, N.W., Suite 300 Washington, DC 20007 Tel: (202) 424-7500 Fax: (202) 424-7643</p>
<p>Deborah A. Le Vine¹ Director of Contracts The California Independent System Operator Corporation 151 Blue Ravine Road Folsom, CA 95630 Tel: (916) 351-4400 Fax: (916) 608-7222</p>	

* Individuals designated for service pursuant to Rule 203(b)(3), 18 C.F.R. § 203(b)(3).

II. BASIS FOR MOTION TO INTERVENE

The ISO is a non-profit public benefit corporation organized under the laws of the State of California and responsible for the reliable operation of a grid comprising the transmission systems of a number of public utilities including Pacific Gas and Electric Company (“PG&E”), as well as for the coordination of the competitive Ancillary Services and real-time electricity markets in California. The ISO is the counter party in the Reliability Must-Run Agreements (“RMR Agreements”) with Mirant Delta, LCC (“Mirant Delta”) that govern Mirant Delta’s provision of RMR services. As such, the ISO has a unique interest in any Commission proceeding concerning proposed changes to those RMR Agreements. Accordingly, the ISO has a direct and substantial interest in the

proposed rate changes and requests that it be permitted to intervene in this proceeding with full rights of a party.

III. BACKGROUND

On June 10, 2003, Mirant Delta tendered for filing revisions to its RMR Agreements with the ISO for the Pittsburg Power Plant (“Pittsburg”) and the Contra Costa Power Plant (“Contra Costa”). According to Mirant Delta, the filing addresses changes to Schedule M of both RMR Agreements. On June 12, 2003, the Commission issued a Notice of Filing setting July 1, 2003 as the comment date.

IV. SUPPORTING COMMENTS

The ISO supports the changes to Schedule M proposed by Mirant Delta. The new revised bidding procedures set forth in the changes to Schedule M facilitate the dispatch of the Pittsburg and Contra Costa units in compliance with the environmental limitations applicable to the facilities.

¹ In addition to Ms. Solé and Mr. Jordan, the ISO respectfully requests that Ms. Le Vine be included in the Official Service List. Ms. Solé and Ms. Le Vine work in separate buildings, and it would be of significant assistance to the ISO if both were included on the list.

V. CONCLUSION

For the foregoing reasons, the ISO respectfully requests that the Commission permit it to intervene, and that it be accorded full party status in this proceeding.

Respectfully submitted,

Jeanne M. Solé
Regulatory Counsel
California Independent System Operator
Corporation
151 Blue Ravine Road
Folsom, CA 95630
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Counsel for the California Independent
System Operator Corporation

Date: July 1, 2003



July 1, 2003

Magalie Roman Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: **Mirant Delta, LLC**
Docket No. ER03-943-000

Dear Secretary Salas:

Enclosed please find an electronic filing in the above-captioned proceeding of the Motion to Intervene of the California Independent System Operator Corporation. Thank you for your attention to this filing.

Respectfully submitted,

Jeanne M. Solé
Counsel for the California Independent
System Operator Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Folsom, CA, on this 1st day of July, 2003.

Jeanne M. Solé