

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FAX (202) 424-7643
WWW.SWIDLAW.COM

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

May 27, 2003

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

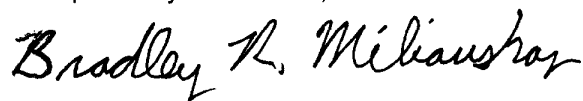
**Re: California Power Exchange Corporation
Docket No. ER03-830-000**

Dear Secretary Salas:

Enclosed please find the original and 14 copies of the Motion to Intervene and Comments of the California Independent System Operator Corporation, submitted in the captioned docket.

Thank you for your attention in this matter.

Respectfully submitted,



Bradley R. Miliauskas

Counsel for the California
Independent System Operator
Corporation

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

**California Power Exchange
Corporation**

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Docket No. ER03-830-000

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

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("Commission"), 18 C.F.R. § 385.214, and the Commission's May 12, 2003 Notice of Filing, the California Independent System Operator Corporation ("ISO")¹ hereby moves to intervene and comment in the above-captioned proceeding. In support thereof, the ISO states as follows:

I. COMMUNICATIONS

Please address communications concerning this filing to the following persons:

Charles F. Robinson
General Counsel
Gene L. Waas
Regulatory Counsel
California Independent System
Operator Corporation
151 Blue Ravine Road
Folsom, CA 95630
Tel: (916) 608-7049
Fax: (916) 608-7296

J. Phillip Jordan
Michael Kunselman
Bradley R. Miliauskas
Swidler Berlin Shereff Friedman LLP
3000 K Street, Suite 300
Washington, D.C. 20007
Tel: (202) 424-7500
Fax:(202) 424-7643

¹ Capitalized terms not otherwise defined herein are defined in the Master Definitions Supplement, Appendix A to the ISO Tariff, as filed August 15, 1997, and subsequently revised.

II. BACKGROUND

On May 6, 2003, the California Power Exchange Corporation ("CalPX") tendered for filing Amendment No. 23 to its FERC Electric Service Tariff No. 2 (the CalPX Tariff). The CalPX transmittal letter states that the purpose of the filing is to align CalPX's Tariff procedures with those proposed by the ISO in its April 15, 2003 filing of Amendment No. 51 to the ISO Tariff in Docket No. ER03-746-000, which addresses the "walling off" of market invoices from rerun invoices.

By its Notice issued May 12, 2003, the Commission established May 27, 2003 as the date motions to intervene were due to be filed in the above-captioned proceeding.

III. 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 Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and the Cities of Vernon, Anaheim, Azusa, Banning, and Riverside, California. CalPX, while now in bankruptcy and no longer operating, formerly was the largest Scheduling Coordinator in the ISO system and operated a Day-Ahead Market that served as California's primary electricity market. The ISO requests that it be allowed to intervene because it has a significant interest in this matter, and its unique interest cannot be adequately represented by any other party.

IV. COMMENTS

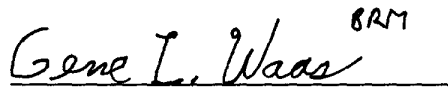
With the exception of the one issue discussed below, the ISO takes no position on any of the issues raised in the CalPX Amendment No. 23 filing. The ISO pledges to cooperate fully with CalPX in implementing Amendment No. 51 to the ISO Tariff, and to continue its close cooperation with CalPX during the implementation phase of the Refund Proceeding.

The ISO does, however, disagree with the proposal of CalPX that the period for disputing information on Settlement Statements (i.e., the dispute window) should be extended from eight business days to fifteen business days with regard to the preparatory reruns described in the ISO's Amendment No. 51 and the Refund Proceeding rerun, *measured, as CalPX proposes, from the date that a Scheduling Coordinator provides the Settlement Statements to its participants*. See Transmittal Letter for CalPX Amendment No. 23 at 1, 5. As explained in the Answer the ISO submitted in the Amendment No. 51 proceeding on May 21, 2003, the ISO believes that the dispute window should be extended to fifteen business days *after the close of the trade month*. The Commission should reject CalPX's proposal that the 15 business day window should run from the time that a Scheduling Coordinator, such as the CalPX, transmits each month's statements to its participants. It would be inappropriate for Scheduling Coordinators such as CalPX to determine when the ISO's fifteen business day dispute window begins. Moreover, adoption of CalPX's proposal could unnecessarily delay the completion of the reruns by the ISO.

V. CONCLUSION

For the foregoing reasons, the ISO respectfully requests that the Commission permit it to intervene and comment, that the ISO be accorded full party status in this proceeding, and that the Commission render a decision concerning CalPX's Amendment No. 23 in light of the comments provided above.

Respectfully submitted,

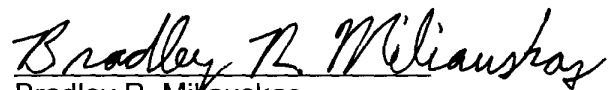


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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents upon each person designated on the official service list compiled by the Secretary in the above-captioned proceedings, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.2010).

Dated at Washington, D.C., on this 27th day of May, 2003.


Bradley R. Milauskas

Counsel for the California Independent
System Operator Corporation