



January 21, 2005

**VIA ELECTRONIC FILING**

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

**Re: Delta Energy Center, LLC  
Docket No. ER03-510-004**

Dear Secretary Salas:

Enclosed please find the Motion to Intervene and Protest of the California Independent Operator submitted today in the above- captioned proceeding.

Thank you for your attention to this matter.

Respectfully Submitted,

**/s/ Sidney L. Mannheim**  
Sidney L. Mannheim

Regulatory Counsel  
California Independent System  
Operator Corporation

Enclosure

cc: Service List

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

**Delta Energy Center, LLC**

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**Docket No. ER03-510-004**

**MOTION TO INTERVENE AND PROTEST 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 (“Commission”), 18 C.F.R. § 385.214 (2003), and § 385.211 (2003) and the Commission’s January 10, 2005 Notice of Filing, the California Independent System Operator Corporation (“ISO”) submits this Motion to Intervene and Protest in the above captioned proceeding. In support thereof, the ISO states as follows:

**I. DESCRIPTION OF THE PROCEEDING**

On December 30, 2004, Delta Energy Center, LLC (“Delta”) filed, pursuant to Section 205 of the Federal Power Act (“FPA”), revisions to certain Reliability Must-Run Rate Schedules of its Reliability Must Run Agreement (“RMR Agreement”) between the ISO and Delta. The stated purpose of Delta’s filing is to substitute rate sheets to replace the Ramp Rate and Minimum Load values set forth in Schedule A of the RMR Agreements. Delta has requested a waiver of the Commission’s 60-day prior notice requirement and has asked for a January 1, 2005 effective date.

## II. DESCRIPTION OF THE ISO AND COMMUNICATIONS

The ISO is a non-profit public benefit corporation organized under the laws of the State of California with a principal place of business at 151 Blue Ravine Road, Folsom, CA 95630. The ISO is the Control Area Operator responsible for the reliable operation of the electric grid comprising the transmission systems of a number of public utilities including Pacific Gas and Electric Company (“PG&E”), as well as the coordination of the competitive ancillary services and real-time electricity markets in California.

The ISO requests that all communications and notices concerning this motion and these proceedings be provided to:

Sidney L. Mannheim  
Regulatory Counsel  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
916-608-7144 (tel)  
916-608-7222 (fax)  
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Robert C. Kott  
Manager of Reliability Contracts  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
916-608-5804 (tel)  
916-351-2487 (fax)  
[rkott@caiso.com](mailto:rkott@caiso.com)

## III. ISO’S INTEREST

Delta is located within PG&E’s transmission system and is needed to maintain the reliability of the PG&E transmission system. As the Control Area Operator responsible for maintaining reliability in the PG&E transmission system and as the counterparty to the RMR Agreements, the ISO has a unique interest in any Commission proceeding that affects an RMR Agreement. Accordingly, the ISO has a direct and substantial interest in the proposed changes in this proceeding and requests that it be permitted to intervene with full rights of a party. Because no other party can adequately represent the ISO’s interests in this proceeding, the ISO’s intervention is in the public interest and should be granted.

#### **IV. PROTEST**

Based on its initial review of the Limited 205 Filing, the ISO has identified the following problem:

Although Delta submitted its rate filing on December 30, 2004, it requested a January 1, 2005 effective date. The Ramp Rate values proposed in amended Schedule A do not match the ISO's Master File as of January 1, 2005 and the ISO cannot implement a change to Schedule A until February 1, 2005 and *only if* the ISO's Master File value and the value proposed in Schedule A are identical.

Accordingly, the ISO requests that Commission to reject the proposed effective date for Delta's Schedule A values and approve an effective date of February, 1, 2005<sup>1</sup> The ISO will calculate the ramping energy for RMR dispatches between and including January 1 and January 31, using the RMR Ramp Rate values set forth in Schedule A to the RMR Agreements as they existed prior to the December 30, 2004 filing, which match the current values in the ISO's Master file.

#### **V. CONCLUSION**

For the foregoing reasons, the ISO respectfully requests that the Commission grant this Motion to Intervene and make the ISO a party in the above-caption proceeding with full rights of participation and requests that the Commission order a

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<sup>1</sup> The ISO supports waiver of the 60-day prior notice requirement to the extent the Schedule A Ramp Rate values match the values in the ISO's Master File.

February 1, 2005 effective date for the Delta amendment, in Delta's proposed rate filing because these are the earliest dates that Delta's proposed amended Schedule A Ramp Rate values will match the ISO Master File values.

Respectfully submitted

**/s/ Sidney L. Mannheim**

Sidney L. Mannheim  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630

Dated: January 21, 2005

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this 21<sup>st</sup> day of January, 2005 caused to be served a copy of the forgoing Motion to Intervene and Protest upon all parties listed on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

**/s/ Sidney L. Mannheim**  
Sidney L. Mannheim