



January 7, 2005

The Honorable Magalie Roman Salas  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Re: **City of Banning, California**  
**Docket No. EL05-44-000**

Dear Secretary Salas:

Enclosed please find an electronic filing of the Motion to Intervene and Comment of the California Independent System Operator Corporation.

Thank you for your attention to this filing.

Respectfully submitted,

**/s/ Anthony J. Ivancovich**  
Anthony J. Ivancovich

Counsel for the California Independent  
System Operator Corporation

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

**City of Banning, California**        )  
  )  
  )  
  )  
  )

**Docket No. EL05-44-000**

**MOTION TO INTERVENE 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 December 23, 2004, Notice of Filing, the California Independent System Operator Corporation (“ISO”) hereby moves to intervene in the above-captioned proceeding.<sup>1</sup> In support thereof, the ISO states as follows:

**I. COMMUNICATIONS**

Please address communications concerning this filing to the following persons:

---

<sup>1</sup> 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.

Anthony J. Ivancovich\*  
Senior Regulatory Counsel  
Deborah A. Le Vine <sup>2</sup>  
Director of Contracts  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
Tel: (916) 608-7135  
Fax: (916) 608-7296  
[aivancovich@caiso.com](mailto:aivancovich@caiso.com)  
[dlevine@caiso.com](mailto:dlevine@caiso.com)

David B. Rubin\*  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
Tel: (202) 424-7500  
Fax: (202) 424-7643

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

## II. BACKGROUND

On December 17, 2004, the City of Banning, California ("Banning") submitted for filing changes to its Transmission Revenue Balancing Account Adjustment ("TRBAA") and Appendix I of its Transmission Owner (TO) Tariff. Banning requests a January 1, 2005, effective date for its filing. Banning further requests that the Commission waive any fees for the filing of its revised TRBAA.

By its Notice issued December 23, 2004, the Commission established January 7, 2005, as the date motions to intervene are 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,

---

<sup>2</sup> In addition to Mr. Ivancovich and Mr. Rubin, the ISO respectfully requests that Ms. Le Vine be included in the Official Service List. Mr. Ivancovich 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.

Trans-Elect NTD Path 15 LLC, Western Area Power Administration - Sierra Nevada Region and the Cities of Vernon, Anaheim, Azusa, Banning and Riverside, California. As the operator of this grid, the ISO believes that it has a unique interest in any Commission proceeding concerning the issues raised in the captioned proceeding.

#### **IV. CONCLUSION**

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

Respectfully submitted,

**/s/ Anthony J. Ivancovich**

Anthony J. Ivancovich  
Senior Regulatory Counsel  
California Independent System  
Operator Corporation  
151 Blue Ravine Road  
Folsom, CA 95630  
Tel: (916) 608-7135  
Fax: (916) 608-7296

Counsel for the California Independent  
System Operator Corporation

Date: January 7, 2005

## **CERTIFICATE OF SERVICE**

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

Dated at Folsom, CA, this 7<sup>th</sup> day of January 2005.

**/s/ Anthony J. Ivancovich**

Anthony J. Ivancovich