

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

**Pacific Gas and Electric Company ) Docket No. ER04-693-000**

**MOTION TO INTERVENE TWO DAYS OUT OF TIME 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 April 6, 2004 Notice of Filing, the California Independent System Operator Corporation ("ISO")<sup>1</sup> hereby moves to intervene two days out of time and provides comments in the captioned proceeding. In support thereof, the ISO states as follows:

**I. COMMUNICATIONS**

Please address communications concerning this filing to the following persons:

Anthony J. Ivancovich\*  
Senior Regulatory Counsel  
Deborah A. Le Vine  
Director of Contracts  
The California Independent  
System Operator Corporation  
151 Blue Ravine Road  
Tel: (916) 351-4400  
Fax: (916) 608-7296

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

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<sup>1</sup> Capitalized terms not otherwise defined herein are used in the sense given in the Master Definitions Supplement, Appendix A to the ISO Tariff, as filed August 15, 1997, and subsequent revised.

\* Individuals designated to receive service pursuant to Rule 203(b)(3) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.203(b)(3).<sup>2</sup>

## **II. BACKGROUND**

As stated in the April 6, 2004 Notice of Filing, on March 31, 2004, Pacific Gas and Electric Company ("PG&E") submitted to the Commission a proposed Notice of Cancellation of PG&E Rate Schedule FERC No. 146. PG&E stated that it proposed to terminate service it provides under the Coordinated Operations Agreement between Southern California Edison Company ("SCE"), PG&E, San Diego Gas & Electric Company ("SDG&E"), and the Participants in the California-Oregon Transmission Project Governing the Coordinated Operation of the Pacific AC Intertie and the California-Oregon Transmission Project as of the date that contract expires, January 1, 2005. PG&E included in its filing a proposed unexecuted successor agreement.

## **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 an electricity transmission grid comprising the transmission systems of PG&E, SCE, SDG&E, and the Cities of Vernon, Anaheim, Azusa, Banning, and Riverside, California, as well as for the coordination of the competitive electricity market in California. As the operator of the grid, the ISO believes that it has a unique

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

interest in any Commission proceeding concerning the filing described above, which involves the cancellation of an agreement affecting service within the ISO Control Area. Accordingly, the ISO respectfully requests that it be permitted to intervene herein with full rights as a party.

#### **IV. MOTION TO INTERVENE OUT OF TIME**

Due to an administrative oversight, the ISO failed to file this motion by the date specified in the April 6, 2004 Notice of Filing. Given the early status of the proceeding, however, no party will be prejudiced by the granting of the motion.

#### **V. COMMENTS**

While the ISO supports the termination of Existing Contracts, it is important that new arrangements, consistent with ISO operations, be put in place to provide for continuation of service. Accordingly, the ISO would support the establishment of settlement procedures to develop a mutually acceptable new protocol to ensure a smooth transfer of operations from the terminated agreement.

## VI. CONCLUSION

Wherefore, for the foregoing reasons, the ISO respectfully requests that the Commission permit it to intervene, that it be accorded full party status in this proceeding, and that the Commission consider the comments presented herein.

Respectfully submitted,

/s/ David B. Rubin  
David B. Rubin  
Bradley R. Miliauskas  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007

Counsel for the California Independent  
System Operator Corporation

Date: April 23, 2004