

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

**California Independent System  
Operator Corporation**

**Docket Nos. ER02-250-000  
ER02-527-000**

**Pacific Gas and Electric Company**

**Docket No. ER02-479-000  
(Consolidated)**

**ORDER OF CHIEF JUDGE  
SUSPENDING TRACK II PROCEDURAL SCHEDULE**

**(Issued October 28, 2002)**

1. On August 8, 2002, the Chief Judge stayed the Track II procedural schedule in the above-captioned dockets, except as to an issue solely of interest to the California Independent System Operator Corporation (“ISO”) and San Diego Gas & Electric (“SDG&E”).
2. On September 10, 2002, SDG&E filed a motion for summary disposition and sanctions in this case against the ISO alleging that the ISO has failed to credit SDG&E’s self-provision of Imbalance Energy against the billing determinant for the Ancillary Services and Real-Time Energy Operations Charge as applied to energy schedules by non-ISO participant co-owners on their respective portions of the Southwest Powerlink.
3. On September 17, 2002, the California Independent System Operator Corporation (“ISO”) submitted on behalf of the Sponsoring Parties<sup>1</sup> an Offer of Settlement and Settlement Agreement (“Settlement Agreement”) and related documents in the above styled and numbered dockets. The Settlement Agreement indicates that it is unopposed by the active participants, including the Commission Trial Staff and Staff of the California Public Utilities Commission.
4. On September 25, 2002, Presiding Judge McCartney ruled that SDG&E’s motion is predicated entirely on findings contained in the Initial Decision in the predecessor Grid Management Charge proceeding in ER01-313-000, *et al.*, and

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<sup>1</sup> The “Sponsoring Parties” are the ISO, Pacific Gas and Electric Company, and Southern California Edison Company.

therefore dismissed SDG&E's motion for summary disposition and for sanctions as filed in this case, without prejudice to refile it in Docket No. ER01-313-000, *et al.*.

5. On September 26, 2002, counsel for SDG&E advised the Commission that SDG&E does not intend to refile its motion in the ER01-313-000 proceeding because it believes that it has submitted its position to the Commission in the answer of SDG&E to the motion to correct the record filed in Docket No. ER01-313-000 on August 23, 2002.

6. Because SDG&E's motion for summary disposition and for sanctions has been dismissed, and SDG&E has advised the Commission that it believes that it has submitted its position on this issue to the Commission for consideration in Docket No. ER01-313-000, there appears to be no outstanding issue remaining for litigation in this proceeding. Accordingly, the Chief Judge suspends the Track II procedural schedule as to the entire proceeding in order to allow Presiding Judge McCartney to consider the settlement filed herein and the comments thereto, and to certify the settlement to the Commission, if appropriate.

**Curtis L. Wagner, Jr.**  
**Chief Administrative Law Judge**