

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

**California Independent System
Operator Corporation**

**Docket Nos. ER00-2019-006
ER01-819-002
ER03-608-000**

ORDER CONFIRMING BENCH RULING

(Issued October 22, 2003)

1. On October 14, 2003, the California Independent System Operator (ISO) submitted a Motion to Strike Testimony of the California Department of Water Resources, State Water Project (SWP). ISO requested the striking of certain portions of the Initial and Cross Answering Testimony of witness Richard D. Jones.
2. On October 15, 2003, the Southern California Edison Company (SCE) filed a Response essentially supporting the ISO's Motion.
3. On October 16, 2003, the Pacific Gas & Electric Company (PG&E) filed its Answer in Response to the ISO's Motion to Strike, essentially supporting the ISO's Motion to Strike and requesting that additional portions of SWP's testimony be stricken.
4. The Commission's standard for the striking of testimony is stated as follows:

“Motions to strike are not favored, and objectionable material will not be struck unless the matters sought to be omitted from the record has no possible relationship to the controversy, may confuse the issues, or otherwise prejudice a party.”

Power Mining, Inc., 45 FERC ¶61,311, n.1 (1988):

5. After careful consideration of the above standard as applied to the parties' contentions through the Motion, responsive pleadings, and at oral argument conducted on October 21, 2003, the subject Motion to Strike is denied.

SO ORDERED.

**Bobbie J. McCartney
Presiding Administrative Law Judge**