

UNITED STATES OF AMERICA 104 FERC ¶ 63,035
FEDERAL ENERGY REGULATORY COMMISSION

San Diego Gas & Electric Company,
Complainant

Docket Nos. EL00-95-000
EL00-95-045
EL00-95-069

v.

Sellers of Energy and Ancillary Services
Into Markets Operated by the California
Independent System Operator Corporation
and the California Power Exchange,
Respondents

Investigation of Practices of the California
Independent System Operator and the
California Power Exchange

EL00-98-000
EL00-98-042
EL00-98-058

Fact-Finding Investigation Into Possible
Manipulation of Electric and Natural Gas
Prices

PA-02-2-000

Reliant Energy Services, Inc.

EL03-59-000

BP Energy Company

EL03-60-000

Enron Power Marketing, Inc. and Enron
Energy Services, Inc.

EL03-77-000

Bridgeline Gas Marketing, L.L.C., Citrus
Trading Corporation, ENA Upstream
Company, L.L.C., Enron Canada Corp., Enron
Compression Services Company, Enron
Energy Services, Inc., Enron MW, L.L.C.,
and Enron North America Corp.

RP03-311-000

El Paso Electric Company, Enron Power
Marketing, Inc., Enron Capital and Trade
Resources Corporation

EL02-113-000

Portland General Electric Company

EL02-114-000

Enron Power Marketing, Inc.

EL02-115-001

Avista Corporation, Avista Energy, Inc.

EL02-115-000

ORDER DENYING MOTION

(Issued August 12, 2003)

1. On August 5, 2003, the California parties filed a motion requesting clarification of the common protective order which I issued on June 30, 2003, 103 FERC ¶63,059 (2003). They state that paragraph 21 of the common protective order is incomplete in that it lacks language relative to the submission of disputes to the presiding ALJ in the above-captioned proceedings and that the common protective order should include the requisite and an agreed-upon non-disclosure certificate that pertains to Competitive Duty Personnel. In fact, both of these matters were expressly addressed by the errata to the common protective order issued on July 3, 2003, 104 ¶63,002 (2003). The errata corrected page 1 of the common protective order, paragraph 1, line 19, by adding a footnote after the citation to 96 FERC ¶63,035 (2001) that “This amendment [which was set forth in the cited order] is incorporated by reference.” That amendment is found in the Appendix to the cited September 6, 2001 order, 96 FERC ¶63,035 (2001). Careful review will reveal to all concerned that paragraph 23 of that amendment contains the dispute language and that the last page of that amendment contains the requisite non-disclosure certificate. Consequently, nothing further is required and the California parties’ motion is denied.

Bruce L. Birchman
Presiding Administrative Law Judge