

**BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Promote Policy
And Program Coordination and Integration in
Electric Utility Resource Planning

Rulemaking 04-04-003

**RESPONSE TO PROPOSED ALTERNATIVES OF THE CALIFORNIA INDEPENDENT
SYSTEM OPERATOR CORPORATION ON ALLOCATION OF CERTAIN
DEPARTMENT OF WATER RESOURCES CONTRACTS**

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Pursuant to President Peevey’s January 28, 2005 Assigned Commission’s Ruling (“ACR”) and Administrative Law Judge Brown’s April 8, 2005 ruling extending the response time, the California Independent System Operator Corporation (“CAISO”) respectfully submits its response to the proposals submitted by Southern California Edison Company (“SCE”), Pacific Gas and Electric Company (“PG&E”), and San Diego Gas & Electric Company (“SDG&E”), dated March 18, 2005, on potential reallocation of certain California Department of Water Resources (“DWR”) power purchase contracts.

INTRODUCTION AND SUMMARY

The ACR identified the Sempra Energy (“Sempra”), Williams Product D (“Williams”), Sunrise Power Company (“Sunrise”), Kings River Conservation District (“King River”), and the City and County of San Francisco (“San Francisco”) DWR contracts as candidates for potential reallocation among the investor-owned utilities (“IOUs”) for operational purposes. The ACR reaffirms the Commission’s intention to allocate the DWR contracts fairly among the IOUs for cost purposes, but also stated its preference that the contracts be allocated in a manner that maximizes each IOU’s ability to maintain grid reliability. (ACR at p. 3-4.) As the entity assigned statutory

responsibility for ensuring the efficient use and reliable operation of the transmission grid, the CAISO's comments focus on the latter consideration. (See, Pub. Utilities Code § 345.)

The CAISO prefers from an operational perspective that the contracts be assigned in a manner that corresponds the location of the physical units supporting the contracts, if known, within the IOU service territory. Such an allocation enhances the IOUs' ability to assist the CAISO in maintaining grid reliability, protect ratepayer interests, and facilitate the IOUs' compliance with Commission Decision 04-07-028, which ordered the IOUs to factor CAISO-related costs into procurement and dispatch decisions. Accordingly, the CAISO believes that operational efficiencies could be realized from reallocating Sunrise to PG&E and Williams to SCE.¹

The Sempra contract requires no specific source or delivery point and provides a "must take," rather than dispatchable, energy product. As discussed further below, these attributes largely minimize the potential to achieve operational advantages based on the identity of the IOU to which the contract is allocated.

Notwithstanding the foregoing, the CAISO emphasizes that the current allocation of DWR contracts does not "jeopardize" grid reliability. The operational benefits from reallocation of certain contracts, while tangible, should be weighed against other policy and equity considerations including direct cost implications, overall allocation of delivery uncertainties, affiliate relationships, and the potential impacts on an IOU's particular long-term resource needs and portfolio structure. The CAISO leaves it to the Commission to appropriately balance these various, competing policy

¹ PG&E consents to assignment of Kings River to PG&E customers. (PG&E Comments at p.5.) Moreover, PG&E does not object to the ultimate assignment of San Francisco to its portfolio, but believes that formal allocation is premature given that the contract prices have not been finally negotiated between DWR and the City and County of San Francisco. (PG&E Comments at p. 6.) The CAISO does not take a position on PG&E's stated concerns, but states that based on the criteria that contracts be allocated to the IOU in whose service territory the deliveries will be made, PG&E constitutes the appropriate recipient of the contract. This is especially true given that the San Francisco peninsula constitutes a well-recognized local load pocket subject to intra-zonal congestion, the costs of which are currently allocated to load within NP-15.

interests. Indeed, a decision on the allocation of Sempra appears to more properly involve such non-operational considerations within the Commission's purview.

1. The Sunrise Contract

SDG&E and SCE support reallocation of Sunrise to PG&E, while PG&E opposes any reassignment. Consistent with the guiding principle underlying the CAISO's comments, Commission Decision 02-09-053 sought to avoid, to the maximum extent possible, inter-zonal transfers of contract power. (D.02-09-053 at p. 63.) The Sunrise contract is resourced from units located in ZP-26, which is in PG&E's service territory. While power located in ZP-26 must cross Path 15 to serve PG&E load centers in NP-15, the recent upgrade to Path 15 has improved the deliverability of energy from ZP-26 to NP-15.

Nevertheless, PG&E argues that "[i]t makes no sense to reallocate capacity from southern California to northern California given the more immediate capacity needs of the southern region." (PG&E Comments at 3.) The CAISO's 2005 Summer Assessment corroborates PG&E's assertion that its service territory is projected to have adequate resources to meet forecasted summer 2005 peak demand, while SCE and SDG&E's service territories are anticipated to run extremely tight capacity margins during this time period.² However, the CAISO's Summer Assessment explicitly divided the CAISO Control Area into two subregions: (1) "North of Path 26," defined as PG&E's service territory and northern Municipalities and (2) "South of Path 26," defined as the service territories of SCE, SDG&E and southern Municipalities. The CAISO utilized the two subregions specifically "to capture the impact of internal transmission constraints, which restrict the flow of power between (and within) these subregions." PG&E, in its testimony on the Commission's proposed critical peak

² CAISO 2005 Summer Operations Assessment (March 23, 2005) at p.2, <http://www.caiso.com/docs/09003a6080/35/46/09003a60803546d.pdf>.

pricing tariff, acknowledged that “[b]ecause of the present limitation on Path 26, additional load relief in northern California is not likely to be of use in meeting southern California Summer 2005 resource needs.” (See, PG&E Opening Testimony at 2-22:8-34, A.05-01-016, et al.) Moreover, as a result of the recognized constraints on Path 26, the CAISO is contemplating an amendment to its operating procedure relating to emergencies (E-508) to specify a “Regional Reserve Emergency,” which may be declared when regional reserve requirements and load demand exceed available resources in either the SP26 or NP26 area and congestion restricts the movement of resources into the specific subregion.

Two conclusions can be drawn from the foregoing that support reallocating Sunrise to PG&E from an operational perspective. First, the CAISO does not view ZP-26 resources as effectively mitigating the capacity shortage perceived for SCE and SDG&E’s service territories during 2005 summer peak conditions. Second, although the CAISO has not specifically studied the question, power from Sunrise may be subject to reduced interzonal congestion costs if scheduled into NP-15, rather than into SP-15.

2. The Williams Product D Contract

Williams demonstrates the potential advantages of allocating contracts to the IOU service territory in which the underlying resources are located. Williams includes capacity from Alamos Units 5 and 6 and Huntington Beach Unit 1, all of which are located and deliver within SCE’s service territory. In D.04-07-028, the Commission clarified that the IOUs have an obligation to assist the CAISO in managing transmission congestion and assuring local reliability by engaging in procurement and dispatch activities that consider reliability factors and reasonably anticipated CAISO related costs, including congestion, must offer, and redispatch costs. SCE and the CAISO developed a Local Area Reliability Unit Commitment and Dispatch Procedure, known as M-438, to satisfy the Commission’s directive. M-438 uses local-area Capacity Commitment Tables to establish the

minimum on-line capacity needed from designated units that the CAISO requires in that local area. For SCE's local area, the Alamitos and Huntington Beach units are designated. Commission Resolution E-3910 notes, "Staff is aware that on occasions SDG&E does not schedule the Williams CDWR contracts because it is not needed to meet SDG&E's load," despite load levels that would otherwise trigger their dispatch under M-438. (Resolution E-3910 at p. 10.) Under such circumstances, the CAISO may commit these units through the Federal Energy Regulatory Commission-imposed Must Offer obligation. While DWR receives all compensation for the CAISO's Must Offer commitment to avoid double-billing California ratepayers, the CAISO nevertheless believes it would be more effective and efficient to have the Williams' units available for dispatch by SCE under M-438.

3. The Sempra Contract

As noted, Sempra is a "must-take" contract that does not require a specific resource or a specific delivery point. Under a "must-take" contract, the seller provides a specific quantity of power that the buyer must accept and pay for. These two qualities reduce the ability of either SCE or SDG&E to manage congestion and related operational costs in a way materially superior to the other.

In Resolution E-3910, the Commission correctly noted that increased generation in Arizona and Mexico has resulted in increased intra-zonal congestion within SDG&E's service territory. In order to alleviate this intra-zonal congestion, the CAISO uses its congestion mitigation procedures that rely on "dec'ing" generation located in Arizona and Mexico and "inc'ing" generation under Reliability Must Run contracts located in SDG&E's service territory. (Resolution E-3910 at p.2.) SCE notes that its scheduling of power from Mexico is almost exclusively the result of deliveries from Sempra that Sempra dictates under the terms of the Sempra contract. Resolution E-3910 further states that SDG&E has attempted to comply with the scheduling and procurement directives in D.04-

07-028 by curtailing all discretionary import schedules from Palo Verde and Mexico. Consequently, as acknowledged by SCE, it is unclear how SDG&E could better manage the congestion resulting from the must-take deliveries under Sempra other than by sponsoring transmission upgrades to reduce the associated congestion. However, regardless of the allocation of Sempra, the CAISO will continue to work closely with each IOU to identify and develop transmission projects that promote economic efficiency or maintain system reliability. Moreover, even if SDG&E was in a better position to manage congestion from Sempra deliveries from Mexico generation, the contract allows Sempra to potentially alter the effectiveness of any steps taken by SDG&E by delivering from another resource at another location.

Again, the CAISO emphasizes that its discussion regarding Sempra should not be taken as endorsing any particular assignment of that contract. The IOUs raise many legitimate reasons apart from potential operational benefits for potentially reallocating Sempra. Given the operational challenges that would confront any IOU allocated the Sempra contract, these other considerations are likely to be, and should be, more salient in the Commission's decision.³

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³ It should be noted that on March 15, 2005, the CAISO submitted to FERC its "Comprehensive Design Proposal for Inter-Scheduling Coordinator Trades" ("Inter-SC Proposal"). (*California Independent System Operator Corporation*, Docket No. ER02-1656-025 (March 15, 2005).) The Inter-SC Proposal provides a reasonable and flexible settlement service for bilateral energy contracts under a locational marginal pricing based market design and does so in a manner that should facilitate a resolution of concerns identified regarding the compatibility of existing seller's choice contracts and the CAISO's Market Redesign and Technology Upgrade.

CONCLUSION

The CAISO respectfully requests that the Commission consider the CAISO's interest in enhancing system reliability in its decision by reallocating DWR contracts, to the maximum extent possible and consistent with other policy considerations, in a manner that corresponds the location of the physical units supporting the contracts with the IOU service territory.

April 15, 2005

Respectfully Submitted:

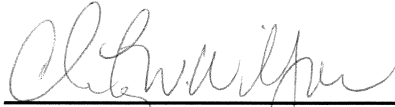
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CERTIFICATE OF SERVICE

I hereby certify that I have served, by electronic and United States mail, a copy of the foregoing Response to Proposed Alternatives of the California Independent System Operator Corporation on Allocation of Certain Department of Water Resources Contracts to each party in Docket No. R.04-04-003.

Executed on April 15, 2005, at Folsom, California.



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