

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

**San Diego Gas & Electric Company,
Complainant,**

Docket No. EL00-95-045

v.

**Sellers of Energy and Ancillary Service 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**

Docket No. EL00-98-042

**RESPONSE OF THE CALIFORNIA INDEPENDENT SYSTEM
OPERATOR CORPORATION TO NOVEMBER 15, 2001 ORDER
LIFTING PROTECTIVE ORDER**

To: The Honorable Bruce L. Birchman
Presiding Administrative Law Judge

On November 15, 2001, the Presiding Judge issued an order directing the participants, who had filed testimony on November 6, 2001, to make a filing which:

- (a) clearly identifies those portions of their pre-filed testimony and supporting exhibits pertaining to heat rate and MMCP data that are no longer under seal as a result of this order and
- (b) clearly identifies those portions of their pre-filed testimony and supporting exhibits which continue to be under seal and subject to the Protective Order.

Slip op. at 2.

Although the ISO did not file testimony on November 6, 2001, it did file testimony on October 9, 2001 which contained materials subject to the Protective Order issued in this proceeding. Therefore, the ISO provides the following response to the Presiding Judge's Request:

In response to (a), the ISO states that Exhibit Nos. ISO-3, ISO-7 and ISO-8, because they contain only heat rate and MMCP data, should no longer be considered under seal in this proceeding.

In response to (b), the ISO states that Exhibit No. ISO-9, because it contains proprietary gas price data, should continue to be considered under seal and subject to the Protective Order in this proceeding. However, the ISO is attempting to obtain authorization allowing the public release of this data, and will promptly inform both the Presiding Judge and parties as soon as it able to secure this authorization.

Respectfully submitted,

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Dated: November 21, 2001