

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

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| North American Electric Reliability Council |) | |
| and North American Electric Reliability |) | Docket No. RR06-1-000 |
| Corporation |) | |

**MOTION TO INTERVENE AND REQUEST FOR TEN DAY EXTENSION TO
COMMENT PERIOD OF THE ISO/RTO COUNCIL**

Pursuant to Rules 212 and 214 of the Commission's Rules of Practice and Procedure,¹ the ISO/RTO Council ("IRC") requests leave to intervene in the above-captioned proceeding. The IRC also respectfully requests that the Commission extend the deadline for filing comments in this proceeding by ten calendar days, *i.e.*, until May 14, 2004.

I. COMMUNICATIONS

Communications regarding this proceeding should be addressed to:

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¹ 18 C.F.R. §§ 385.212 and 214 (2006).

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II. REQUEST TO INTERVENE

The IRC was formed by the nine functioning Independent System Operators (“ISOs”) and Regional Transmission Organizations (“RTOs”) in North America in April 2003. It is comprised of the Alberta Electric System Operator (“AESO”), California Independent System Operator, Inc. (“CAISO”), Electric Reliability Council of Texas (“ERCOT”), the Independent Electricity System Operator of Ontario (“IESO”), ISO New England, Inc. (“ISO-NE”), Midwest Independent Transmission System Operator, Inc. (“MISO”), New York Independent System Operator, Inc. (“NYISO”), PJM Interconnection, L.L.C. (“PJM”), and Southwest Power Pool (“SPP”). The IRC’s mission is to work collaboratively to develop effective processes, tools and standard methods for improving competitive electricity markets across North America. In fulfilling this mission, it is the IRC’s goal to provide a perspective that balances reliability standards with market practices so that each complements the other, thereby resulting in efficient, robust markets that provide competitive and reliable service to customers.

The IRC's members, like other kinds of transmission operators, will be stakeholders in the Electric Reliability Organization ("ERO") governance process that the North American Electric Reliability Council ("NERC") is proposing to establish in this proceeding. They will also be subject to the mandatory reliability standards, and sanctions for violations, that the ERO will develop, and impose, through the proposed procedures that are before the Commission in this docket. At the same time, the IRC's members will have a unique responsibility to ensure that the ERO's reliability standards are compatible with organized electricity markets. The IRC's members therefore have a substantial and unique interest in the outcome of this proceeding that cannot be adequately represented by any other party and should be permitted to intervene herein.

III. REQUEST FOR EXTENSION OF TIME

On April 4, 2006, NERC filed its application for certification as the ERO pursuant to new Section 215 of the Federal Power Act. On April 7, the Commission issued a notice establishing a May 4, 2006 deadline for comments.

NERC's application is more than four hundred pages long and raises numerous important and complex issues. The Commission's decisions addressing these issues are likely to have a lasting impact on, among other things, the structure of the ERO, the quality of the decisionmaking in its stakeholder process, the kinds of functions that it undertakes, and the nature of its relationships with other reliability entities. All of these matters are of great interest to the IRC's members and, presumably, to other electric utility industry stakeholders.

The IRC recognizes the Commission's desire to resolve these questions, and to formally certify an ERO, as quickly as possible. Nevertheless, the IRC asks that the

Commission allow interested parties an additional ten calendar days, *i.e.* until May 14, 2006, to formulate and submit comments on the application. A ten day extension should not materially delay Commission action. It would, however, help stakeholders to write more complete and carefully considered comments which would make for a better record that would be of greater use to the Commission. Allowing a ten day extension in such a significant proceeding would also be consistent with Commission precedent. The Commission has stated that its normal practice to allow sixty day comment periods for Section 203 applications that raise substantive market power issues. It has also allowed more than thirty days for comments in other complex and high profile proceedings, such as the Notice of Proposed Rulemaking on Standard Market Design.

IV. CONCLUSION

WHEREFORE, for the foregoing reasons, ISO/RTO Council respectfully requests leave to intervene and asks that the Commission grant an additional ten days for interested parties to file comments in this proceeding.

Respectfully submitted,

/s/ Ted J. Murphy

Ted J. Murphy, Council
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on behalf of ISO/RTO Council

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