

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

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

**CORRECTED MOTION TO INTERVENE AND
REQUEST FOR 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 eleven calendar days, *i.e.*, until Monday, May 15, 2006.²

I. COMMUNICATIONS

Communications regarding this proceeding should be addressed to:

Craig Glazer Vice President – Federal Government Policy Steven R. Pincus – Senior Counsel, Regulatory PJM Interconnection, L.L.C. 1200 G Street, NW, Suite 600 Washington, D.C., 20005	Stephen G. Kozey Vice President and General Counsel Midwest Independent Transmission System Operator, Inc. 701 City Center Drive Carmel, Indiana, 46032
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¹ 18 C.F.R. §§ 385.212 and 214 (2006).

² The IRC originally filed this pleading on April 24, 2006. Subsequently, counsel for the IRC became aware that the Electric Reliability Council of Texas had inadvertently been left off of Part I of the pleading. That oversight has been corrected. Moreover, the IRC had requested a ten calendar day extension to submit comments, *i.e.*, until May 14, 2006. Because May 14 falls on a Sunday, the IRC has corrected this pleading and requests an extension of time to submit comments until May 15, 2006.

Matthew F. Goldberg
Senior Regulatory Counsel
ISO New England Inc.
One Sullivan Road
Holyoke, MA 01040

Charles Robinson
Vice President and General Counsel
Anthony J. Ivancovich
Assistant General Counsel- Regulatory
**California Independent System
Operator Corporation**
151 Blue Ravine Road
Folsom, CA 95630

Kim Warren
Manager, Regulatory Affairs
**Independent Electricity System Operator of
Ontario**
655 Bay Street, Suite 410
Toronto, Ontario, M5G-2K4 Canada

Robert E. Fernandez
Vice President and General Counsel
Elaine Robinson
Director of Regulatory Affairs
**New York Independent System
Operator, Inc.**
290 Washington Avenue Extension
Albany, N.Y. 12203

Larry Kram
Senior Legal Counsel
Alberta Electric System Operator
Calgary Place
2500 330 - 5th Avenue SW
Calgary, AB T2P 0L4

Stacy Duckett
General Counsel & Corporate Secretary
Southwest Power Pool
415 North McKinley
#140, Plaza West
Little Rock, AR 72205-3020

Carolyn Shellman
Vice President and General Counsel
Electric Reliability Council of Texas
7620 Metro Center Dr.
Austin, TX 78744

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 eleven calendar days, *i.e.* until May 15, 2006, to formulate and submit comments on the application. This modest 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 an eleven 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 eleven calendar days for interested parties to file comments in this proceeding.

Respectfully submitted,

/s/ Ted J. Murphy
Ted J. Murphy, Counsel
New York Independent System Operator, Inc.
on behalf of ISO/RTO Council

April 25, 2006

cc: Shelton M. Cannon
Anna Cochrane
Connie Caldwell
Michael A. Bardee
Kathleen E. Nieman
Dean Wight

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing document on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC this 25th day of April 2006.

/s/ Ted J. Murphy
Ted J. Murphy
Hunton & Williams LLP
1900 K Street, NW
Washington, DC 20006
(202) 955-1500

Submission Contents

CorrectedIRCIntervention.doc..... 1-6