

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

La Paloma Generating Company, LLC)	
)	
v.)	Docket No. EL16-88-000
)	
California Independent System)	
Operator Corporation)	
)	

**MOTION OF THE INDEPENDENT ENERGY PRODUCERS ASSOCIATION
FOR LEAVE TO INTERVENE OUT-OF-TIME**

Pursuant to Rule 214 (a)(2) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission” or “FERC”), 18 CFR § 385.214(a)(2), the Independent Energy Producers Association (“IEP”) hereby files this Out-of-Time Motion to Intervene in the complaint proceeding of La Paloma Generating Company, LLC (“La Paloma”) against the California Independent System Operator Corporation (“CAISO”) as filed on June 17, 2016, in the above-captioned docket (“Complaint”).

I. Communications

IEP requests that copies of all correspondence and pleadings in this proceeding be addressed to the following:

Steven Kelly
Independent Energy Producers Association
1215 K Street, Suite 900
Sacramento, CA 95816
steven@iepa.com

II. Motion to Intervene Out of Time

Under the Commission's rules at 18 C.F.R. § 385.214(b)(2)(ii), intervention is appropriate where the movant has an interest which may be directly affected by the outcome of a proceeding. IEP is a nonprofit public benefit corporation formed under the laws of the State of California to encourage the development and use of independent electric resources. Its members own and operate roughly 20,000 megawatts of electric generation capacity in California. IEP has been representing the interests of the developers and operators of renewable and other independent electricity resources including conventional resources before the Commission, other agencies, the Legislature, and the courts since 1982, including matters related to the generator compensation procurement mechanism (CPM) adopted by the CAISO and approved by the Commission. IEP's intervention in this proceeding is in the public interest. IEP and its members have been and continue to be active in and impacted by many of the Commission's proceedings on CAISO matters. IEP's interests will not be adequately represented by any other party. Therefore, IEP respectfully requests that the Commission grant its motion to intervene in this proceeding.

The above proceeding raises issues of compensation of generation resources in the CAISO's wholesale markets. In a July 20, 2016 Motion for Leave to File Answer to Protests and Comments filed by third party intervenors, the CAISO supported Commission action in a generic proceeding to examine certain intervenors' requests, such as how current market mechanisms can be enhanced to ensure that conventional resources needed to maintain reliability stay in operation in CAISO. Given these developments, IEP is requesting intervention at this time as its member companies may be directly affected by the outcome of this complaint proceeding as well as by any related proceeding initiated by FERC to broadly

examine resource adequacy issues in CAISO's wholesale market. IEP has a direct and substantial interest in this proceeding which no other party can represent. Accordingly, good cause exists for the Commission to grant IEP's out-of-time motion to intervene, consistent with Commission practice and precedent.¹

Granting IEP's motion to intervene will not disrupt this proceeding or otherwise prejudice the rights of existing parties. IEP accepts the record as it exists and does not seek to delay this proceeding. Accordingly, IEP respectfully requests that the Commission grant IEP's motion to intervene out-of-time in this proceeding.

Respectfully Submitted,

/s/ Steven Kelly

Steven Kelly
Independent Energy Producers Association
1215 K Street, Suite 900
Sacramento, CA 95816
steven@iepa.com

Dated August 2, 2016

¹ In considering whether to grant a motion to intervene out-of-time, the Commission will consider: (1) whether the movant has good cause for seeking to intervene out-of-time; (2) any disruption of the proceeding that might result from permitting intervention; (3) whether the movant's interest is adequately represented by other parties; and (4) any prejudice to existing parties that might result from permitting the intervention. 18 C.F.R. § 385.214(d).

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the *Motion to Intervene of the Independent Energy Producers Association* on all parties of record in proceeding *ER16-88-000* by serving an electronic copy on their email addresses of record.

Executed on August 2, 2016, at San Francisco, California.

/s/ Rosa Gutierrez

Rosa Gutierrez