

Complete Executive Summary Template

Submitter (Party Name)	California Parties
Contact or Representative (Name, Org., Address and Phone No.)	Richard L. Roberts (202) 429-6756 Catherine M. Giovannoni (202) 429-8072 Steptoe & Johnson LLP 1330 Connecticut Avenue, N.W. Washington, D.C. 20036
Finding of Fact	Prices in the ISO and PX Spot Markets before October 2, 2000 were not consistent with Sellers' market-based rate tariffs and those of the ISO and PX.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number(s) pertaining to the Finding of Fact	CA-1; CA-2; CA-20; CA-21; CA-22; CA-26; CA-28; CA-29; CA-31; CA-32; CA-33; CA-34; CA-35; CA-36; CA-38; CA-39; CA-40; CA-41; CA-42; CA-43; CA-45; CA-46; CA-47; CA-48; CA-49; CA-50; CA-51; CA-56; CA-59; CA-61; CA-63; CA-64; CA-65; CA-66; CA-67; CA-68; CA-69; CA-70; CA-71; CA-72; CA-73; CA-74; CA-75; CA-76; CA-78; CA-79; CA-80; CA-86; CA-88; CA-89; CA-93; CA-94; CA-95; CA-96; CA-97; CA-98; CA-99; CA-100; CA-101; CA-102; CA-108; CA-109; CA-111; CA-112; CA-113; CA-114; CA-115; CA-118; CA-119; CA-120; CA-121; CA-122; CA-123; CA-124; CA-126; CA-127; CA-128; CA-129; CA-130; CA-131; CA-132; CA-134; CA-136; CA-137; CA-140; CA-141; CA-145; CA-147; CA-149; CA-150; CA-155; CA-158; CA-161; CA-164; CA-170; CA-172; CA-173; CA-175; CA-179; CA-182; CA-187; CA-188; CA-189; CA-194; CA-198; CA-201; CA-202; CA-204; CA-205; CA-206; CA-210; CA-212; CA-214; CA-216; CA-222; CA-229; CA-233; CA-234; CA-235; CA-237; CA-238; CA-239; CA-242; CA-243; CA-246; CA-249; CA-250; CA-251; CA-258; CA-

	259; CA-261; CA-263; CA-264; CA-265; CA-266; CA-268; CA-270; CA-271; CA-272; CA-274; CA-276; CA-277; CA-278; CA-279; CA-280; CA-285; CA-288; CA-289; CA-190; CA-291; CA-294; CA-297; CA-299; CA-300; CA-301; CA-303; CA-304; CA-305; CA-306; CA-307; CA-308; CA-309; CA-310; CA-311; CA-312; CA-314; CA-315; CA-316; CA-317; CA-319; CA-321; CA-322; CA-325; CA-326; CA-327; CA-329; CA-330; CA-331; CA-332; CA-335; CA-336; CA-338; CA-339; CA-340; CA-343; CA-348; CA-84; CA-135; CA-139; CA-157; CA-25; CA-27; CA-53; CA-60; CA-87; CA-117; CA-144; CA-153; CA-159; CA-160; CA-181; CA-292; CA-302; CA-226; CA-195; CA-193; CA-190; CA-176; CA-174; CA-163; CA-156; CA-151; CA-148; CA-146; CA-107; CA-106; CA-105; CA-85; CA-77; CA-62; CA-58; CA-57; CA-52; CA-54; CA-33; CA-18; CA-17; CA-16; CA-11; CA-8
Finding of Fact	Prices in the ISO and PX Spot Markets from October 2, 2000 to June 20, 2001 were unjust and unreasonable.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-20; CA-21; CA-22; CA-28; CA-29; CA-31; CA-32; CA-34; CA-35; CA-36; CA-38; CA-39; CA-40; CA-41; CA-42; CA-43; CA-45; CA-46; CA-47; CA-48; CA-49; CA-50; CA-51; CA-54; CA-56; CA-57; CA-59; CA-61; CA-63; CA-64; CA-65; CA-66; CA-67; CA-68; CA-69; CA-70; CA-71; CA-72; CA-73; CA-74; CA-75; CA-76; CA-78; CA-79; CA-80; CA-81; CA-86; CA-88; CA-89; CA-90; CA-93; CA-94; CA-95; CA-96; CA-97; CA-98; CA-99; CA-100; CA-101; CA-102; CA-103; CA-104; CA-106; CA-108; CA-109; CA-111; CA-112; CA-113; CA-114; CA-115; CA-118; CA-119; CA-120; CA-121; CA-122; CA-123; CA-124; CA-126; CA-127; CA-128; CA-129; CA-130; CA-131; CA-132; CA-134; CA-136; CA-137; CA-138; CA-140; CA-141; CA-145; CA-149; CA-150; CA-155; CA-158; CA-161; CA-164; CA-165; CA-167; CA-168; CA-169; CA-170; CA-171; CA-172; CA-173; CA-175; CA-178; CA-179; CA-182; CA-187; CA-188; CA-189; CA-194; CA-196; CA-200; CA-201; CA-202; CA-204; CA-205; CA-206;

	CA-207; CA-209; CA-210; CA-212; CA-213; CA-214; CA-216; CA-217; CA-222; CA-229; CA-230; CA-233; CA-234; CA-235; CA-236; CA-237; CA-238; CA-239; CA-242; CA-243; CA-246; CA-249; CA-250; CA-251; CA-258; CA-259; CA-261; CA-263; CA-264; CA-265; CA-266; CA-268; CA-270; CA-271; CA-272; CA-274; CA-276; CA-277; CA-278; CA-279; CA-280; CA-285; CA-288; CA-289; CA-290; CA-291; CA-294; CA-297; CA-299; CA-300; CA-301; CA-303; CA-304; CA-305; CA-306; CA-307; CA-308; CA-309; CA-310; CA-311; CA-312; CA-313; CA-314; CA-315; CA-316; CA-317; CA-319; CA-320; CA-321; CA-322; CA-324; CA-325; CA-326; CA-327; CA-328; CA-329; CA-330; CA-331; CA-332; CA-333; CA-334; CA-335; CA-336; CA-338; CA-339; CA-340; CA-343; CA-346; CA-348; CA-133; CA-84; CA-92; CA-7; CA-8; CA-11; CA-12; CA-13; CA-14; CA-15; CA-16; CA-37; CA-44; CA-55; CA-58; CA-77; CA-85; CA-105; CA-142; CA-143; CA-193; CA-197; CA-227; CA-296; CA-342; CA-25; CA-27; CA-191; CA-292; CA-248; CA-232; CA-231; CA-228; CA-227; CA-195; CA-176; CA-174; CA-148; CA-146; CA-18; CA-17
Finding of Fact	Sellers withheld from the market.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number(s) pertaining to the Finding of Fact	CA-1; CA-2; CA-21; CA-22; CA-26; CA-29; CA-30; CA-33; CA-39; CA-40; CA-42; CA-43; CA-45; CA-46; CA-47; CA-48; CA-49; CA-51; CA-52; CA-57; CA-61; CA-64; CA-66; CA-68; CA-70; CA-72; CA-74; CA-76; CA-78; CA-79; CA-81; CA-88; CA-96; CA-100; CA-102; CA-103; CA-104; CA-118; CA-138; CA-147; CA-150; CA-152; CA-154; CA-158; CA-162; CA-164; CA-165; CA-167; CA-169; CA-171; CA-173; CA-178; CA-180; CA-184; CA-188; CA-190; CA-196; CA-198; CA-199; CA-203; CA-237; CA-245; CA-250; CA-256; CA-259; CA-261; CA-263; CA-265; CA-268; CA-270; CA-274; CA-276; CA-278; CA-283; CA-284; CA-289; CA-290; CA-291; CA-297; CA-303; CA-306; CA-307; CA-308; CA-309; CA-310; CA-311; CA-312; CA-314; CA-315; CA-316; CA-317; CA-326; CA-340; CA-6; CA-60; CA-53; CA-181; CA-139; CA-153; CA-3; CA-4; CA-107; CA-143; CA-148; CA-174; CA-228; CA-231; CA-232; CA-241; CA-248; CA-296; CA-

	302; CA-292
Finding of Fact	Sellers falsely reported to the ISO that generating units were forced out of service for mechanical reasons when the plant's own records show that the plant was capable of normal operation.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-10; CA-165
Finding of Fact	Sellers placed units on "reserve shutdown" meaning that they shut the plant down for economic reasons when no maintenance was required, during times when the ISO had declared a system emergency.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-60; CA-17; CA-18; CA-249; CA-258; CA-10
Finding of Fact	Sellers withheld by not bidding their output into the market even though the plant was fully operational. This withholding behavior occurred during numerous system emergencies.

Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-10; CA-21; CA-26; CA-29; CA-33; CA-39; CA-40; CA-42; CA-43; CA-45; CA-46; CA-47; CA-49; CA-51; CA-57; CA-61; CA-64; CA-66; CA-68; CA-70; CA-72; CA-74; CA-76; CA-78; CA-79; CA-81; CA-88; CA-270; CA-289; CA-291; CA-165; CA-6; CA-27
Finding of Fact	Sellers withheld generation from the market by bidding high, and in excess of its costs, so as to deliberately price itself out of the market.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-5; CA-6; CA-7; CA-8; CA-190; CA-148; CA-146; CA-142; CA-141; CA-102; CA-1; CA-2; CA-10; CA-21; CA-26; CA-29; CA-33; CA-39; CA-40; CA-42; CA-43; CA-45; CA-46; CA-47; CA-49; CA-51; CA-57; CA-61; CA-64; CA-66; CA-68; CA-70; CA-72; CA-74; CA-76; CA-78; CA-79; CA-81; CA-88; CA-223; CA-270; CA-165; CA-247; CA-289; CA-291; CA-346; CA-348
Finding of Fact	Sellers generated uninstructed to bypass organized markets.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO

	into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-22; CA-38; CA-66; CA-145; CA-238; CA-289; CA-291; CA-305; CA-325; CA-348
Finding of Fact	Sellers submitted bids in the ISO and PX Markets in order to exercise market power.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-304; CA-144; CA-302; CA-7; CA-8; CA-36; CA-37; CA-44; CA-55; CA-62; CA-102; CA-105; CA-142; CA-156; CA-189; CA-193; CA-226; CA-249; CA-296; CA-248; CA-232; CA-231; CA-105; CA-1; CA-2; CA-34; CA-38; CA-54; CA-78; CA-100; CA-103; CA-118; CA-126; CA-138; CA-141; CA-145; CA-147; CA-152; CA-154; CA-155; CA-165; CA-167; CA-171; CA-190; CA-198; CA-203; CA-206; CA-229; CA-242; CA-250; CA-258; CA-289; CA-290; CA-291; CA-298; CA-300; CA-301; CA-305; CA-319; CA-320; CA-321; CA-322; CA-323; CA-324; CA-326; CA-331
Finding of Fact	Sellers participated in false load schedules.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.

Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-34; CA-49; CA-71; CA-74; CA-78; CA-118; CA-121; CA-145; CA-167; CA-171; CA-202; CA-206; CA-229; CA-270; CA-271; CA-289; CA-291; CA-300; CA-324; CA-336; CA-302; CA-13; CA-14; CA-38; CA-105; CA-176
Finding of Fact	Sellers participated in Megawatt Laundering or “Ricochet.”
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers’ refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-38; CA-39; CA-56; CA-65; CA-67; CA-70; CA-73; CA-74; CA-76; CA-78; CA-79; CA-89; CA-94; CA-122; CA-123; CA-128; CA-134; CA-137; CA-140; CA-145; CA-150; CA-168; CA-179; CA-182; CA-188; CA-189; CA-196; CA-206; CA-229; CA-270; CA-271; CA-289; CA-291; CA-319; CA-321; CA-322; CA-323; CA-327; CA-328; CA-332; CA-333; CA-339; CA-348; CA-13; CA-14; CA-105
Finding of Fact	Seller participated in “Death Star” or other Congestion Games.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers’ refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-78; CA-79; CA-80; CA-86; CA-88; CA-93; CA-99; CA-106; CA-108; CA-109; CA-113; CA-118; CA-129; CA-132; CA-145; CA-164; CA-184; CA-206; CA-229; CA-270; CA-271; CA-289; CA-290; CA-291; CA-301; CA-326; CA-329; CA-330; CA-348; CA-133; CA-87; CA-117; CA-125; CA-133; CA-227; CA-151
Finding of Fact	Sellers double sold Ancillary Services Capacity.

Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-145; CA-206; CA-236; CA-270; CA-271; CA-289; CA-291
Finding of Fact	Sellers participated in the "Get Shorty" strategy of selling non-existent Ancillary Services to the ISO.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-19; CA-75; CA-78; CA-79; CA-112; CA-118; CA-149; CA-182; CA-206; CA-229; CA-236; CA-270; CA-271; CA-289; CA-291; CA-300; CA-25; CA-133
Finding of Fact	Sellers shared non-public generation outage information.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally

	filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-165; CA-184; CA-105; CA-249; CA-258; CA-8
Finding of Fact	Sellers participated in collusive acts.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-10; CA-22; CA-26; CA-32; CA-50; CA-54; CA-56; CA-64; CA-65; CA-67; CA-69; CA-70; CA-72; CA-73; CA-79; CA-81; CA-86; CA-88; CA-89; CA-90; CA-93; CA-95; CA-96; CA-97; CA-98; CA-100; CA-103; CA-104; CA-111; CA-118; CA-119; CA-120; CA-122; CA-123; CA-126; CA-128; CA-133; CA-140; CA-141; CA-145; CA-155; CA-161; CA-164; CA-165; CA-167; CA-168; CA-169; CA-170; CA-171; CA-172; CA-179; CA-187; CA-188; CA-194; CA-198; CA-204; CA-206; CA-210; CA-229; CA-235; CA-239; CA-246; CA-249; CA-251; CA-252; CA-253; CA-254; CA-255; CA-256; CA-258; CA-259; CA-260; CA-261; CA-263; CA-264; CA-266; CA-270; CA-271; CA-289; CA-290; CA-291; CA-313; CA-320; CA-321; CA-327; CA-328; CA-329; CA-330; CA-331; CA-332; CA-333; CA-334; CA-335; CA-342; CA-343; CA-345; CA-348; CA-135; CA-304; CA-157; CA-302; CA-7; CA-8; CA-105; CA-135; CA-156; CA-227
Finding of Fact	Seller withholding and other market manipulation, not buyer underscheduling, led to forced reliance on the Real-Time Market.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to

	the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-1; CA-2; CA-20; CA-21; CA-22; CA-26; CA-28; CA-29; CA-30; CA-31; CA-32; CA-33; CA-34; CA-35; CA-36; CA-38; CA-39; CA-40; CA-42; CA-43; CA-45; CA-46; CA-47; CA-48; CA-49; CA-50; CA-51; CA-52; CA-54; CA-56; CA-57; CA-59; CA-61; CA-63; CA-64; CA-65; CA-66; CA-67; CA-68; CA-70; CA-71; CA-72; CA-73; CA-74; CA-75; CA-76; CA-78; CA-79; CA-80; CA-81; CA-86; CA-88; CA-89; CA-90; CA-93; CA-94; CA-95; CA-96; CA-97; CA-98; CA-99; CA-100; CA-101; CA-102; CA-103; CA-104; CA-108; CA-109; CA-111; CA-112; CA-113; CA-114; CA-115; CA-118; CA-119; CA-120; CA-121; CA-122; CA-123; CA-124; CA-126; CA-127; CA-128; CA-129; CA-130; CA-131; CA-132; CA-134; CA-136; CA-137; CA-138; CA-140; CA-141; CA-145; CA-147; CA-149; CA-150; CA-152; CA-154; CA-155; CA-158; CA-161; CA-162; CA-164; CA-165; CA-167; CA-168; CA-171; CA-172; CA-173; CA-175; CA-178; CA-179; CA-182; CA-184; CA-187; CA-188; CA-189; CA-190; CA-194; CA-196; CA-198; CA-199; CA-200; CA-202; CA-203; CA-204; CA-206; CA-209; CA-211; CA-212; CA-213; CA-214; CA-215; CA-216; CA-217; CA-223; CA-229; CA-230; CA-233; CA-234; CA-235; CA-236; CA-237; CA-238; CA-239; CA-242; CA-243; CA-245; CA-246; CA-247; CA-249; CA-250; CA-251; CA-256; CA-258; CA-259; CA-261; CA-263; CA-264; CA-265; CA-266; CA-268; CA-270; CA-271; CA-272; CA-274; CA-276; CA-277; CA-278; CA-279; CA-280; CA-283; CA-284; CA-285; CA-288; CA-289; CA-290; CA-291; CA-297; CA-299; CA-300; CA-301; CA-303; CA-304; CA-305; CA-306; CA-307; CA-308; CA-309; CA-310; CA-311; CA-312; CA-313; CA-314; CA-315; CA-316; CA-317; CA-326; CA-331; CA-334; CA-338; CA-340; CA-346; CA-348; CA-133; CA-139; CA-157; CA-25; CA-27; CA-191; CA-302; CA-3; CA-4; CA-7; CA-8; CA-15; CA-16; CA-17; CA-18; CA-33; CA-34; CA-36; CA-37; CA-38; CA-44; CA-52; CA-53; CA-54; CA-55; CA-57; CA-58; CA-62; CA-77; CA-85; CA-102; CA-105; CA-107; CA-126; CA-134; CA-135; CA-141; CA-142; CA-143; CA-148; CA-151; CA-155; CA-156; CA-163; CA-174; CA-176; CA-189; CA-190; CA-193; CA-198; CA-199; CA-226; CA-228; CA-231; CA-232; CA-240; CA-241; CA-248; CA-249; CA-258; CA-293; CA-296; CA-331; CA-342
Finding of Fact	The border price indices currently used in the refund calculations pursuant to the <i>July 25th Refund Order</i> are not appropriate for use in this proceeding.
Relief	Given the totality of the wrongful conduct involved, it is not possible to

Requested	isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-15; CA-16; CA-33; CA-57; CA-58; CA-77; CA-85; CA-136; CA-145; CA-205; CA-207; CA-230; CA-260; CA-270; CA-271; CA-275; CA-289; CA-291; CA-298
Finding of Fact	California's environmental regulations were not a primary driver in restricting output or increasing costs from power plants during the summer of 2000.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-11; CA-12; CA-23; CA-24; CA-195; CA-295; CA-270; CA-271; CA-298; CA-291; CA-27
Finding of Fact	Energy exchange transactions should be subject to refund.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally

	filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-331; CA-44;
Finding of Fact	Sales greater than 24 hours should be subject to refund.
Relief Requested	Given the totality of the wrongful conduct involved, it is not possible to isolate the harmful effects of any one violation or any one bad actor. The Commission, therefore, should (1) reduce the market clearing prices in the ISO and PX spot markets to the Mitigated Market Clearing Price cap for the period from May 2000 through June 20, 2001, (2) apply the MMCP to all spot market sales in the ISO and PX, even if the seller was able to coerce the ISO into out-of-market sales of as long as one month or into energy exchanges rather than sales for cash, and (3) apply the MMCP to all short-term sales to the California Energy Resources Scheduler that was filling the role originally filled by the PX or responding to sellers' refusals to sell to the ISO.
Index Exhibit Number (s) pertaining to the Finding of Fact	CA-55