

UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

Midwest Independent Transmission  
System Operator, Inc.  
PJM Interconnection, L.L.C.

**Docket No. ER04-  
375-000**

**NOTICE OF INTERVENTION OF THE  
ORGANIZATION OF MISO STATES**

Pursuant to Rule 214(a)(2) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2), the Organization of MISO States (OMS) files its Notice of Intervention in the above-captioned proceeding. In support thereof, the OMS states as follows:

**I. Communications**

1. Service of all pleadings, documents, and communications in this matter should be made on the following:  
William H. Smith, Jr.  
Executive Director  
Organization of MISO States  
100 Court Avenue, Suite 218  
Des Moines, Iowa 50309  
  
Commissioner Robert Nelson  
Michigan Public Service Commission  
Post Office Box 30221  
Lansing, Michigan 48909-7721

**II. Description of Filing**

2. On December 31, 2003, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) and PJM Interconnection, L.L.C (PJM), submitted for filing a Joint Operating Agreement between Midwest ISO and PJM.

**III. Basis for Intervention**

3. The OMS is a non-profit, self-governing organization of representatives from each state with regulatory jurisdiction over entities participating in the MISO, a regional transmission organization as defined by the FERC. The state regulatory agencies that are member of the OMS are the Illinois Commerce Commission, the Indiana Utility Regulatory Commission, the Iowa Utilities Board, the Kentucky Public Service Commission, the Michigan Public Service Commission, the Minnesota Public Utilities Commission, the Missouri Public Service Commission, the Montana Public Service Commission, the Nebraska Power Review Board, North Dakota Public Service Commission, the Ohio Public Utilities Commission, the Pennsylvania Public Utility Commission, the South Dakota Public Utilities Commission, and the Wisconsin Public Service Commission. The Manitoba Public Utilities Board is also a member of the OMS.

4. The purpose of the OMS is to coordinate regulatory oversight among the states; making recommendations to MISO, the MISO Board of Directors, the FERC, other relevant government entities, and state commissions as appropriate; and intervening in proceedings before the FERC and in related judicial proceedings to express

the positions of the OMS. The OMS files this timely Notice of Intervene pursuant to the authority conferred by its bylaws and the authorization of its Executive Committee.

5. The Joint Operating Agreement addresses the seams issues between the Midwest ISO and PJM. The Joint Operating Agreement is necessary to increase the reliability of the transmission systems in the territories of the Midwest ISO and PJM. However, there are certain issues that are still undecided and OMS believes that it can contribute to the ongoing evolution of the Joint Operating Agreement.

6. Based on the foregoing, the OMS respectfully submits that it has a direct and substantial interest in these proceedings and that no other party can adequately represent the interests of the OMS or its member states in this proceeding.

WHEREFORE, the OMS respectfully gives notice of its intervention in this proceeding.

Respectfully Submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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William H. Smith, Jr.

Executive Director

Organization of MISO States

Dated: January 20, 2004

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing Notice of Intervention on all parties on the official service list compiled by the Secretary in this proceeding.

Dated at Des Moines, Iowa, this 13th day of February, 2004.

          /s/          

William H. Smith, Jr.