

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
OFFICE OF ELECTRIC RELIABILITY

North American Electric Reliability Corporation  
Docket No. RM06-22-013

September 8, 2010

North American Electric Reliability Corporation  
1120 G Street N.W., Suite 990  
Washington, D.C. 20005-3801

Attention: Rebecca J. Michael, Attorney

Reference: NERC's Compliance Filing on Version 1 CIP VSLs

Dear Ms. Michael:

1. On May 17, 2010 the North American Electric Reliability Corporation (NERC) submitted a filing in response to the Commission's March 18, 2010 order, which approved NERC's proposed VSL assignments subject to modification of 57 sets of Violation Severity Level (VSL) assignments for Version 1 of the Critical Infrastructure Protection (CIP) Reliability Standards.<sup>1</sup>

2. In its March 18 Order, the Commission directed the revisions to 57 sets of VSL assignments (relating to CIP-003-1, CIP-004-1, CIP-005-1, CIP-006-1, CIP-007-1, CIP-008-1 and CIP-009-1) on the basis of four VSL Guidelines previously articulated by the Commission, as well as two new Guidelines established specifically for determining the VSLs for the CIP Reliability Standards.<sup>2</sup> NERC's

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<sup>1</sup> *Mandatory Reliability Standards for Critical Infrastructure Protection, Order Addressing Violation Severity Level Assignments for Critical Infrastructure Protection Reliability Standards*, 130 FERC ¶ 61,211 (2010) (March 18 Order).

<sup>2</sup> The two CIP guidelines established by the March 18 Order are (1) Requirements where a single lapse in protection can compromise computer network security, i.e., the "weakest link" characteristic, should apply binary rather than graduated VSLs; and (2) VSLs for cyber security Requirements containing

compliance filing submits the revisions in the manner set forth by the Commission's March 18 Order.

3. Notice of this filing was issued on May 18, 2010, with comments, protests or motions to intervene due on or before June 7, 2010.
4. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motions to intervene are governed by the provisions of Rule 214. No protests or adverse comments were filed.
5. NERC's uncontested filing is approved pursuant to the authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.303.
6. This action shall not be construed as accepting any other contingency plan pursuant to 18 C.F.R. § 375.303(a)(1)(i) or any other data or report pursuant to C.F.R. § 375.303(b)(3)(iv). This action shall not be construed as approving any other application including Electric Reliability Organization or Regional Entity Rules or procedures pursuant to 18 C.F.R. § 375.303(a)(2)(i). Such acceptance or approval shall not be deemed as recognition of any claimed right or obligation associated therewith; and such acceptance or approval is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceeding now or pending or hereafter instituted by or against NERC.
7. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Joseph H. McClelland, Director  
Office of Electric Reliability

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interdependent tasks of documentation and implementation should account for their interdependence.