

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

**Electric Reliability Organization Proposal to Retire)
Requirements in Reliability Standards)**

Docket Nos. RM13-8-000

**COMMENTS OF THE
NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION
IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING**

The North American Electric Reliability Corporation (“NERC”)¹ hereby provides these comments in response to the Federal Energy Regulatory Commission’s (“FERC” or the “Commission”) June 20, 2013, Notice of Proposed Rulemaking (“NOPR”)² proposing to approve NERC’s petition to retire 34 Requirements within 19 Reliability Standards and proposing to withdraw 41 outstanding directives.

I. BACKGROUND

On February 28, 2013, NERC submitted a petition for Commission approval of the retirement of 34 requirements within 19 Reliability Standards.³ On June 20, 2013, the Commission issued a NOPR proposing to approve NERC’s petition and additionally identifying 41 outstanding directives that the Commission proposes to withdraw. The Commission states that the identified outstanding directives were based on the following three guidelines: (1) whether the reliability concern underlying the outstanding directive has been addressed in some

¹ NERC has been certified by the Commission as the electric reliability organization (“ERO”) in accordance with Section 215 of the Federal Power Act. The Commission certified NERC as the ERO in its order issued July 20, 2006 in Docket No. RR06-1-000. *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062 (2006) (“ERO Certification Order”).

² *Electric Reliability Organization Proposal to Retire Requirements in Reliability Standards*, Notice of Proposed Rulemaking, 143 FERC ¶ 61,251 (2013).

³ This project (Project 2013-02) is commonly known as the “Paragraph 81” project.

manner, rendering the directive stale; (2) whether the outstanding directive provides general guidance for standards development rather than a specific directive; and (3) whether the outstanding directive is redundant with another directive.⁴ The Commission states that the withdrawal will have little impact on the reliability of the Bulk-Power System.⁵

II. COMMENTS

NERC strongly supports the Commission's proposal in the NOPR to approve the proposed retirement of Requirements and the Commission's recognition that a number of Commission directives to NERC are no longer necessary to assure the reliable operation of the Bulk-Power System. Specifically, NERC supports the proposed retirement of the 41 outstanding directives identified by the Commission in the NOPR. Since NERC was certified as the ERO, the Commission has issued approximately 51 Orders containing 735 directives and guidance related to NERC Reliability Standards.⁶ As the ERO model has matured, the number of Commission directives issued annually has declined.

NERC supports the Commission's acknowledgement of its role in developing a sustainable reliability framework, and the identification of these directives strongly supports NERC's goal of achieving a stable set of Reliability Standards.⁷ All active Reliability Standards development projects are currently leveraging the criteria developed in the Paragraph 81 project

⁴ NOPR at P 2.

⁵ NOPR at P 2.

⁶ See *NERC Standards Report, Status and Timetable for Addressing Regulatory Directives*, Docket No. RR09-6-003 (April 1, 2013).

⁷ See FERC July 9, 2013 Reliability Technical Conference, Remarks of Mark Lauby, Vice President and Director of Standards, NERC, Docket No. AD13-6-000, available at: <http://www.ferc.gov/EventCalendar/Files/20130709080820-Testimony%20of%20Mark%20Lauby%20Panel%20III.pdf>.

to evaluate requirements in Reliability Standards under development or enhancement. NERC reserves the right to identify additional directives that are appropriate for withdrawal.

III. NOTICES AND COMMUNICATIONS

Notices and communications with respect to this filing may be addressed to the following:⁸

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⁸ Persons to be included on the Commission’s service list are identified by an asterisk. NERC respectfully requests a waiver of Rule 203 of the Commission’s regulations, 18 C.F.R. § 385.203 (2012), to allow the inclusion of more than two persons on the service list in this proceeding.

IV. CONCLUSION

For the reasons stated above, NERC respectfully requests that the Commission accept these comments for consideration.

Respectfully submitted,

/s/ Stacey Tyrewala

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August 27, 2013

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon all parties listed on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 27th day of August, 2013.

/s/ Stacey Tyrewala
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