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August 6, 2010

VIA ELECTRONIC FILING

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: North American Electric Reliability Corporation
Docket No. RR010-7-000
Motion for Modification of Date for Compliance Filing
to July 12, 2010 Commission Order**

Dear Ms. Bose:

The North American Electric Reliability Corporation hereby submits the “Motion of the North American Electric Reliability Corporation for Modification of Date for Compliance Filing to July 12, 2010 Commission Order” in the above-referenced docket.

This filing consists of: (1) this transmittal letter, and (2) the Motion, which are being transmitted in a single pdf file.

Please contact the undersigned if you have any questions concerning this filing.

Respectfully submitted,

/s/ Owen E. MacBride
Owen E. MacBride

Attorney for North American Electric
Reliability Corporation

UNITED STATES OF AMERICA
Before the
FEDERAL ENERGY REGULATORY COMMISSION

NORTH AMERICAN ELECTRIC)
RELIABILITY CORPORATION) **Docket No. RR10-7-000**

MOTION OF THE
NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION
FOR MODIFICATION OF DATE FOR COMPLIANCE FILING
TO JULY 12, 2010 COMMISSION ORDER

The North American Electric Reliability Corporation (“NERC”), pursuant to 18 C.F.R. §385.212, respectfully requests that the Commission modify the deadline for the compliance filing required by its July 12, 2010 Order in this docket,¹ from 90 days following the date of the *July 12 Order*, to 15 days following the date that the Commission issues its order on the Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order* that is being filed contemporaneously with this Motion by NERC, SERC Reliability Corporation (“SERC”), Florida Reliability Coordinating Council (“FRCC”), and Southwest Power Pool Regional Entity (“SPP RE”). In support of its Motion, NERC states as follows:

1. The *July 12 Order* approved Compliance Monitoring and Enforcement Program (“CMEP”) Agreements between SERC and FRCC and SERC and SPP RE, pursuant to which SERC will assume responsibility for performing CMEP functions with respect to those reliability functions for which FRCC is the registered entity within the FRCC Region and Southwest Power Pool, Inc. (“SPP, Inc.”) is the registered entity within the SPP RE Region. The *July 12 Order* also approved related amendments to the Delegation Agreements between NERC and SERC, NERC and FRCC and NERC and SPP RE. However, the *July 12 Order* rejected the provision in

¹ *Order Conditionally Accepting Compliance Monitoring and Enforcement Program Agreements and Revised Delegation Agreements, and Ordering Compliance Filing*, 123 FERC ¶ 61,024 (2010) (“*July 12 Order*”).

the proposed CMEP Agreements, and the related amendments to the FRCC and SPP RE Delegation Agreements, whereby any penalties paid by FRCC or SPP, Inc., as a registered entity, would be used in a subsequent year to offset the statutory Regional Entity funding requirement of FRCC or SPP RE, respectively. Instead, the Commission directed that any penalties assessed against FRCC or SPP, Inc. as a registered entity should be paid to SERC, as the Compliance Enforcement Authority, and used as a general offset to SERC's statutory budget in a subsequent year.²

2. In the *July 12 Order*, the Commission directed NERC to submit a compliance filing within 90 days (*i.e.*, by October 11, 2010) with amendments to the CMEP Agreements and the applicable Delegation Agreements implementing the directives in the *July 12 Order*.³

3. Contemporaneously with the filing of this Motion, NERC, SERC, FRCC and SPP RE are filing a timely Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order*. NERC, SERC, FRCC and SPP RE are requesting that the directive in Paragraph 25 be changed, to direct that the CMEP Agreements and the FRCC and SPP RE Delegation Agreements be revised to provide that any penalties assessed against FRCC or SPP, Inc., as registered entities, will be paid to NERC and used to offset NERC's statutory budget as the Electric Reliability Organization in a subsequent year.

4. The Commission may or may not be able to issue its order on the Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order*, prior to the current date specified for the compliance filing to the *July 12 Order* (October 11, 2010). Accordingly, NERC requests that the Commission modify the date for the compliance filing to

² *July 12 Order* at P 25.

³ *July 12 Order*, Ordering paragraph (D).

the *July 12 Order* from 90 days following the date of the *July 12 Order*, to 15 days following the date that the Commission issues its order on the Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order*. This modification will give NERC, SERC, FRCC and SPP RE sufficient time to adopt, and NERC to submit, conforming amendments to the CMEP Agreements and the Delegation Agreements based on the Commission's Order on the Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order*.

WHEREFORE, NERC respectfully requests that the Commission modify the deadline for the compliance filing to the *July 12 Order*, from 90 days following the date of the *July 12 Order*, to 15 days following the date that the Commission issues its order on the Request for Reconsideration, or in the Alternative Rehearing, of Paragraph 25 of the *July 12 Order*, that is being filed contemporaneously with this Motion.

Respectfully submitted,

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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 Chicago, Illinois this 6th day of August, 2010.

/s/ Owen E. MacBride
Owen E. MacBride

*Attorney for North American Electric
Reliability Corporation*