



September 8, 2010

VIA ELECTRONIC FILING

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

Re: NERC Notice of Penalty regarding an Unidentified Registered Entity
FERC Docket No. NP10-140-000

Dear Ms. Bose:

The North American Electric Reliability Corporation (“NERC”) and ReliabilityFirst Corporation (“ReliabilityFirst” or “RFC”) respectfully submit this Response to the Federal Energy Regulatory Commission’s (“FERC” or the “Commission”) August 5, 2010 Request for Data and Documents (the “Data and Document Request”) in the above captioned proceeding,¹ regarding NERC’s July 6, 2010 Notice of Penalty in the referenced docket.

The Notice of Penalty pertains to a \$5,600 settlement for violations of Reliability Standards CIP-004-1, Requirement 4 and CIP-004-1, Requirement 3.2. The Data and Document Request seeks additional data and documents from NERC and ReliabilityFirst to assist FERC staff with its analysis of the July 6, 2010 Notice of Penalty filing. This filing responds to the Data and Document Request by providing supplemental data and documents to ensure the FERC staff that sufficient facts and evidence support the Notice of Penalty.

Information set forth in this response and Non-Public Attachments A through C to the instant filing includes privileged and confidential information as defined by the Commission’s regulations at 18 C.F.R. Part 388 and orders, as well as NERC Rules of Procedure including the NERC Uniform Compliance Monitoring and Enforcement Program (“CMEP”) Appendix 4C to the NERC Rules of Procedure. Specifically, the information pertains to confidential business design information, including a Regional Entity’s investigative files, that is not publicly available. Accordingly, the information set forth in the response and Non-Public Attachments A through C have been redacted from the public filing. In accordance with the Commission’s Rules of Practice and

¹ *North American Electric Reliability Corporation*, 132 FERC ¶ 62,097(2010) (“August 5 Data and Document Request”).

Procedure, 18 C.F.R. § 388.112, a non-public version of the information redacted from the public filing is being provided under separate cover. NERC requests that the confidential, non-public information be provided special treatment in accordance with the above regulation.

Accordingly, NERC respectfully requests that the Commission accept this response and issue an order consistent with the comments provided herein.

Respectfully submitted,

/s/ Rebecca J. Michael

Rebecca J. Michael

*Attorney for North American Electric
Reliability Corporation*

cc: Official service list in Docket No. NP10-140-000