

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

North American Electric Reliability Corporation
Docket Nos. RR09-9-001
RR08-6-005
RR07-14-005

March 3, 2010

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

Attention: Rebecca J. Michael, Attorney

Reference: Compliance filing of the North American Electric Reliability Corporation in response to October 15, 2009 Order on the 2010 Business Plans and Budgets

Dear Rebecca J. Michael:

1. On December 11, 2009, the North American Electric Reliability Corporation (NERC) submitted a filing in compliance with the Commission's October 15 Order.¹
2. NERC clarifies issues regarding its resource adequacy and various concerns regarding the business plans and budgets for particular Regional Entities, such as the adequacy of the CIP audit levels planned by Texas RE and SERC, the application of net energy load in allocating compliance program costs within the U.S. portion of the NPCC region, and the development of the Compliance Reporting, Analysis, and Tracking System. Additionally, NERC requests that it no longer be required to submit status reports on the development of uniform procedures for processing technical feasibility exceptions because NERC has filed a proposed uniform procedure for processing TFEs in a separate docket for Commission approval.

¹*North American Electric Reliability Corp.*, 129 FERC ¶ 61,040 (2009).

3. Notice of this filing was issued on December 17, 2009, with comments, protests or motions to intervene due on or before January 11, 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 accepted pursuant to the relevant authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.303. Additionally, NERC is no longer required to provide status reports regarding the development of uniform procedures for processing TFEs, as this issue is addressed in the January 21 Order.²
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

² *Order Approving Technical Feasibility Exception Procedures and Ordering Compliance Filing*, 130 FERC ¶ 61,050 (2010).