

130 FERC ¶ 62,113  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

In Reply Refer To:  
Office of Enforcement  
Docket No. NP10-25-000  
January 29, 2010

Rebecca J. Michael  
Assistant General Counsel  
Holly A. Hawkins  
Attorney  
North American Electric Reliability  
Corporation  
1120 G Street, N.W.  
Suite 990  
Washington, D.C. 20005-3801

Constance White  
Vice President of Compliance  
Western Electricity Coordinating Council  
615 Arapeen Drive, Suite 210  
Salt Lake City, UT 84108-1262

Dear Ms. Michael, Ms. Hawkins and Ms. White:

1. On December 30, 2009, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty in Docket No. NP10-25-000, regarding a \$15,000 penalty that Western Electricity Coordinating Council (WECC) assessed to El Paso Electric Company (EPE). In the absence of Commission action within thirty (30) days, the penalty would have been affirmed by operation of law.<sup>1</sup>

2. Pursuant to authority delegated to me in section 375.311(u) and (v) of the Commission's regulations,<sup>2</sup> I am extending the time period for the Commission's consideration of this Notice of Penalty for the purpose of directing NERC and WECC to provide information they may possess that may bear on this consideration.

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<sup>1</sup> 18 C.F.R. § 39.7(e) (1) (2009).

<sup>2</sup> *Delegations for Notices of Penalty*, Order No. 724, FERC Stats. & Regs. ¶ 31,298 (2009).

3. Therefore, in order to afford additional time for consideration of this Notice of Penalty, as provided for in 18 C.F.R. § 39.7(e)(1), an extended time period until March 15, 2010 is hereby ordered for the limited purpose of further consideration of the Notice of Penalty. If no further action is taken by the Commission by that date, the penalty will be deemed affirmed by operation of law. To facilitate this consideration, I direct NERC and WECC to file responses to the enclosed requests for data and documents by February 16, 2010. As appropriate, NERC and WECC may seek non-public treatment of information in the responses pursuant to sections 388.112 or 388.113 of the Commission's regulations, 18 C.F.R. §§ 388.112, 388.113 (2009).

4. If you have any questions, please contact Roger Morie at (202) 502-8446.

Sincerely,

Norman C. Bay  
Director  
Office of Enforcement

Enclosure

Enclosure

Data and Document Request to: NERC and WECC

To the extent that responsive information or documents are in your files, please answer the following request relating to the Notice of Penalty regarding El Paso Electric Company (EPE), FERC Docket No. NP10-25-000:

1. The Notice of Penalty does not appear to indicate WECC's or NERC's assessment of the risk to the Bulk-Power System resulting from EPE's confirmed violations. Please provide WECC's and NERC's assessments of this risk and the reasons for these assessments.

Document Content(s)

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