

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

North American Electric Reliability Corporation  
Docket No. RR10-4-000

February 5, 2010

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

Attention: Rebecca J. Michael, Attorney

Reference: Petition for Approval of Amendments to Appendix 3A of the NERC  
Rules of Procedure and to the Reliability Standards Development  
Procedure

Dear Mrs. Michael:

1. On November 23, 2009, the North American Electric Reliability Corporation (NERC) submitted a filing that requested approval of amendments to Appendix 3A, *Reliability Standards Development Procedure* (RSDP) to NERC's Rules of Procedure (ROP).
2. The amendments to Appendix 3A of NERC's RSDP add processes for developing standards in response to national security emergency situations by utilizing a shortened standards development process, and by specifying conditions under which access to some information may be limited, if necessary to protect national security. In addition, the amendments modify the RSDP by altering the way Violation Risk Factors (VRFs) and Violation Severity Levels (VSLs) are approved and developed. Specifically, the amendments designate VRFs and VSLs as "compliance elements" not considered part of a Reliability Standard, remove VRFs and VSLs from the components of a Reliability Standard that must be balloted, and provide a separate process that gives NERC's Board the authority to approve VRFs and VSLs with no restrictions on the actions it can take with respect to modifying proposed VRFs and VSLs. Finally, because the NERC Board of Trustees acted to dissolve the NERC Joint Interface Committee (JIC),

references to the JIC and descriptions of its role were deleted. The amended Appendix 3A of NERC's RSDP also updates the RSDP version from 6.1 to Version 7.

3. Notice of this filing was issued on November 24, 2009, with comments, protests or motions to intervene due on or before December 14, 2009.
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. American Municipal Power (AMP) and Exelon Corporation filed timely motions to intervene. No protests or adverse comments were filed.
5. NERC's uncontested filing is approved pursuant to the relevant authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.303.
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 18 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

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