

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ELECTRIC RELIABILITY

North American Electric Reliability Corporation  
Docket No. RM06-22-005

February 2, 2009

North American Electric Reliability Corporation  
1120 G Street, N.W., Suite 990  
Washington, D.C. 2005-3801

Attention: Rebecca J. Michael, Attorney

Reference: Compliance Filing Submission of Thirty-One Violation Risk Factors of the North American Electric Reliability Corporation in Response to Paragraphs 751 and 757 of Order No. 706

Dear Ms. Michael:

1. On December 19, 2008, the North American Electric Reliability Corporation (NERC) submitted 31 revised Violation Risk Factors, pertaining to certain Critical Infrastructure Protection (CIP) Reliability Standards, to the Commission for approval in response to paragraphs 751 and 757 of the Commission's Order No. 706.<sup>1</sup>
2. On January 18, 2008, the Commission issued Order No. 706, which approved CIP Reliability Standards CIP-002-1 through CIP-009-1 proposed by NERC and 162 proposed Violation Risk Factor assignments pertaining to them. In addition, the Commission directed the Electric Reliability Organization to revise 43 of the 162 approved CIP Violation Risk Factor assignments, and to include an updated complete Violation Risk Factor matrix in its compliance filing.

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<sup>1</sup> Mandatory Reliability Standards for Critical Infrastructure Protection, Order No. 706, 73 FR 7368 (Feb. 7, 2008), 122 FERC ¶ 61,040, order on reh'g, 123 FERC ¶ 61,174 (2008).

3. In accordance with the Commission directives expressed in Order No. 706, NERC's compliance filing revises 31 of the 43 Violation Risk Factors identified for revision. The filing contains the required complete Violation Risk Factor matrix.
4. Notice of this filing was issued on December 22, 2008, with comments, protests or motions to intervene due on or before January 12, 2009.
5. 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 motion to intervene is governed by the provisions of Rule 214. No protests or adverse comments were filed.
6. NERC's uncontested filing is approved pursuant to the relevant authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.314.
7. This action shall not be construed as accepting any other contingency plan pursuant to 18 C.F.R. § 375.314(a)(1)(i) or any other data or report pursuant to C.F.R. 375.314 § (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. § 375.314(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.
8. 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

Document Content(s)

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