

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ELECTRIC RELIABILITY

North American Electric Reliability Corporation  
Docket No. RM06-22-009

August 20, 2009

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 Order on Compliance Filing – Mandatory Reliability Standards for Critical Infrastructure Protection Submission of Four Revised Violation Risk Factors

Dear Ms. Michael:

1. On June 30, 2009, the North American Electric Reliability Corporation (NERC) submitted a filing that modified Violation Risk Factors (“VRFs”) for four Requirements or Sub-Requirements of the Commission approved Critical Infrastructure Protection (“CIP”) Reliability Standards CIP-002-1 through CIP-009-1, in response to paragraphs 13-14 of the Commission’s January 27 Order.<sup>1</sup>
2. On July 30, 2008, NERC submitted nine previously undesignated VRFs associated with certain CIP Reliability Standards. In the January 27 Order, the Commission approved the nine VRFs and directed modifications to four of them. NERC submitted this compliance filing to revise the four CIP VRFs as directed by the Commission and requested waiver of the Commission’s rules and regulations to submit the filing out of time.

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<sup>1</sup>*Mandatory Reliability Standards for Critical Infrastructure Protection*, 126 FERC ¶ 61,065 (2009) (January 27 Order).

3. Notice of this filing was issued on July 8, 2009, with comments, protests or motions to intervene due on or before July 29, 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 motion to intervene is governed by the provisions of Rule 214. No protests or adverse comments were filed.
5. NERC's uncontested filing and its request for waiver 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 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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