UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

North American Electric Reliability Corporation
Mandatory Reliability Standards for the Bulk Power System
Mandatory Reliability Standards for the Bulk Power System
Transmission Relay Loadability Reliability Standard

Docket No. RR09-6-000
Docket No. RM06-16-009
Docket No. RM06-16-010
Docket No. RM08-13-000

MOTION TO INTERVENE AND COMMENTS OF RELIABILITYFIRST CORPORATION, MIDWEST RELIABILITY ORGANIZATION, FLORIDA RELIABILITY COORDINATING COUNCIL, TEXAS REGIONAL ENTITY, NORTHEAST POWER COORDINATING COUNCIL, INC., WESTERN ELECTRICITY COORDINATING COUNCIL, SERC RELIABILITY CORPORATION, AND SOUTHWEST POWER POOL REGIONAL ENTITY IN SUPPORT OF THE REQUESTS FOR CLARIFICATION AND REHEARING SUBMITTED BY THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION

Pursuant to Rule 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. § 385.214 (2009), ReliabilityFirst Corporation (“ReliabilityFirst”), Midwest Reliability Organization (“MRO”), Florida Reliability Coordinating Council (“FRCC”), Texas Regional Entity (“TRE”), Northeast Power Coordinating Council, Inc. (“NPCC”), Western Electricity Coordinating Council (“WECC”), SERC Reliability Corporation (“SERC”), and Southwest Power Pool Regional Entity (“SPP RE”) (collectively, “Regional Entities”) move to intervene in the above-captioned proceedings and offer comments in support of the pleadings filed by the North American Electric Reliability Corporation (“NERC”) in those dockets. The Regional Entities urge the Commission to grant the requests submitted by NERC. To the extent a motion to intervene out-of-time is
necessary, the Regional Entities move to intervene out-of-time in these proceedings and assert that good cause exists to permit such intervention.

I. NOTICES AND COMMUNICATIONS

Notices and communications regarding this filing may be addressed to:

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II. MOTION TO INTERVENE

On March 18, 2010, the Commission issued orders in the four above-captioned proceedings.

In Docket No. RR09-6-000 the Commission ordered NERC to revise the NERC Rules of Procedure within 90 days so that NERC Standard Drafting Teams will be required to address FERC directives when they draft new or modified Reliability Standards and so that the NERC
Board of Trustees can approve a Reliability Standard responding to a FERC directive even if the industry ballot body does not approve that Reliability Standard.\textsuperscript{1}

In Docket No. RM08-13-000, the Commission issued Order No. 733 in which it approved Reliability Standard PRC-023-1, but also ordered NERC to develop modifications to that Standard and file them with the Commission for approval within one year.\textsuperscript{2}

In Docket No. RM06-16-009, the Commission ordered NERC to develop and file by June 30, 2010, a modification to Reliability Standard TPL-002-0 to address the concerns presented by the Commission in Order No. 693, specifically the Commission’s concern that the Reliability Standard could allow the loss of non-consequential load following a single contingency.\textsuperscript{3}

In Docket No. RM06-16-010, the Commission ordered NERC to develop and file within six months a revision to Reliability Standard BAL-003-0 to address the FERC directives in Order No. 693. The required modifications include a description of the appropriate periodicity of the frequency response surveys and a definition of the amount of frequency response needed for reliable operation.\textsuperscript{4}

The Regional Entities are the eight FERC-approved Regional Entities that support NERC in its role as the Electric Reliability Organization (“ERO”) under section 215 of the Federal Power Act and are responsible for ensuring that the Bulk Electric System in the geographic and electrical areas in the United States set out in their respective Regional Delegation Agreements remain reliable via application of both NERC and regional reliability requirements. Pursuant to those Delegation Agreements, the Regional Entities implement the NERC Compliance

\textsuperscript{1} \textit{North American Electric Reliability Corp.}, 130 FERC ¶ 61,203 (2010).

\textsuperscript{2} \textit{Transmission Relay Loadability Reliability Standard}, Order No. 733, 130 FERC ¶ 61,221 (2010).

\textsuperscript{3} \textit{Mandatory Reliability Standards for the Bulk Power System}, 130 FERC ¶ 61,200 (2010).

\textsuperscript{4} \textit{Mandatory Reliability Standards for the Bulk Power System}, 130 FERC ¶ 61,218 (2010).
Monitoring and Enforcement Program for monitoring and enforcing compliance with those Reliability Standards that have been approved as mandatory and enforceable by the Commission.

As such, the Regional Entities have an interest in the development of revisions to the mandatory Reliability Standards that apply to all users, owners and operators of the bulk power system in the continental United States. Because the Commission’s orders in these proceedings will affect the manner in which Reliability Standards are revised in accordance with Commission directives, and the Regional Entities are responsible for enforcing those Reliability Standards, the Regional Entities have a direct interest in this proceeding that cannot adequately be represented by any other party and the Commission should permit the Regional Entities to intervene. To the extent such intervention would be considered late under 18 C.F.R. § 385.214(d), the Regional Entities contend that good cause exists to permit intervention out-of-time.

III. COMMENTS

The Regional Entities believe the orders in the above dockets represent a significant and unsupported shift in the Commission's implementation of section 215 of the Federal Power Act as it applies to NERC as the Electric Reliability Organization and to the Regional Entities. The Regional Entities support the pleadings filed by NERC in these proceedings and encourage the Commission to grant the relief requested by NERC. In particular:

- The Regional Entities support NERC’s request for rehearing and reconsideration, motion for stay, and request for public conference in Docket No. RR09-6-000 and urge the Commission to grant those requests.

- The Regional Entities support NERC’s request for clarification and, in the alternative, rehearing of Order No. 733 in Docket No. RM08-13-000 and urge the Commission to grant those requests.
The Regional Entities support NERC’s request for rehearing and motion for stay of the Commission’s order setting deadline for compliance in Docket No. RM06-16-009 and urge the Commission to grant those requests.

The Regional Entities support NERC’s request for clarification and rehearing of the order setting deadline for compliance in Docket No. RM06-16-010 and urge the Commission to grant those requests.

IV. CONCLUSION

Wherefore, the Regional Entities request that the Commission take the foregoing comments into consideration and grant the requests contained in the pleadings filed by NERC in these proceedings.

Respectfully submitted,

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/s/ Edward A. Schwerdt                  /s/ Louise McCarren
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/s/ Thomas J. Galloway                  /s/ Stacy Dochoda
Thomas J. Galloway                     Stacy Dochoda
SERC Reliability Corporation           Southwest Power Pool Regional Entity
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in these proceedings.

Dated this 19th day of April 2010.

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