UNITED STATES OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION

North American Electric)	Docket No. RR10-12-000
Reliability Corporation)	

MOTION TO INTERVENE AND COMMENTS OF THE
AMERICAN PUBLIC POWER ASSOCIATION,
THE EDISON ELECTRIC INSTITUTE,
THE ELECTRIC POWER SUPPLY ASSOCIATION,
THE LARGE PUBLIC POWER COUNCIL,
THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
AND THE TRANSMISSION ACCESS POLICY STUDY GROUP

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure¹ and the "Combined Notice of Filings" issued on June 11, 2010,² the American Public Power Association ("APPA"), the Edison Electric Institute ("EEI"), the Electric Power Supply Association ("EPSA"), the Large Public Power Council ("LPPC"), the National Rural Electric Cooperative Association ("NRECA"), and the Transmission Access Policy Study Group ("TAPS") (collectively referred to as the "Trade Associations") move to intervene in the above-referenced proceeding and submit these comments in support of the June 10, 2010 Petition of the North American Electric Reliability Corporation ("NERC") for approval of NERC's proposed Reliability Standards Processes Manual.

I.

MOTION TO INTERVENE

APPA is the national service organization representing the interests of not-forprofit, publicly owned electric utilities throughout the United States.

² 75 Fed. Reg. 35,011 (June 21, 2010).

¹ 18 C.F.R. § 385.214 (2010).

EEI is the association of the nation's shareholder-owned electric utilities, international affiliates, and industry associates world-wide.

EPSA is the national trade association representing competitive power suppliers, including generators and marketers. These suppliers, who account for 40 percent of the installed generating capacity in the United States, provide reliable and competitively priced electricity from environmentally responsible facilities serving power markets. EPSA seeks to bring the benefits of competition to all power customers.

LPPC represents 24 of the largest state-owned and municipal utilities in the nation, reflecting the views of the larger, asset-owning members of the public power community.

NRECA is the not-for-profit national service organization representing approximately 930 not-for-profit, member-owned rural electric cooperatives. The great majority of these cooperatives are distribution cooperatives that provide retail electric service to over 42 million customer-owners in 47 states. In addition, NRECA members include approximately 66 generation and transmission cooperatives that supply wholesale power to their distribution cooperative owner-members.

TAPS is an informal association of transmission-dependent utilities in more than 30 states, promoting open and non-discriminatory transmission access.

The Trade Associations' respective members are users, owners, and operators of the bulk-power system and are subject to the Reliability Standards established by NERC, acting as the Commission-certified Electric Reliability Organization ("ERO"). The Trade Associations and their respective members have been engaged in and provided comments to NERC supporting the development of NERC's proposed Standards Processes Manual. The Trade Associations' respective members are active participants in NERC's standards

development process. Indeed, the employees and consultants who work for or on behalf of the Trade Associations comprise nearly all of the subject-matter experts that populate NERC standards drafting teams and participate in the development and revision of proposed Reliability Standards. The Trade Associations' employees also constitute the vast majority of the membership of the NERC Registered Ballot Body that votes to approve proposed Reliability Standards. Each of the Trade Associations participates actively in reliability-related industry activities on behalf of their respective members and supports NERC's mission of ensuring a reliable North American bulk-power system. The Trade Associations' individual and collective interests in this docket cannot be represented by any other party. It is therefore appropriate for the Commission to grant the Trade Associations' timely motion to intervene in this proceeding, with all rights appurtenant to that status.

II.

NOTICES AND COMMUNICATIONS

Notices and communications regarding this filing may be addressed to:

AMERICAN PUBLIC POWER ASSOCIATION

Susan N. Kelly
Vice President of Policy Analysis and
General Counsel
American Public Power Association
1875 Connecticut Avenue, N.W.
Suite 1200
Washington, D.C. 20009
(202) 467-2933
skelly@appanet.org

Allen Mosher
Senior Director of Policy Analysis
and Reliability
American Public Power Association
1875 Connecticut Avenue, N.W.
Suite 1200
Washington, D.C. 20009
(202) 467-2944
amosher@appanet.org

EDISON ELECTRIC INSTITUTE

Barbara A. Hindin Associate General Counsel Edison Electric Institute 701 Pennsylvania Ave., N.W. Washington, D.C. 20004-2696 (202) 508-5019 bhindin@eei.org

ELECTRIC POWER SUPPLY ASSOCIATION

Nancy Bagot Vice President of Regulatory Affairs Electric Power Supply Association 1401 New York Avenue, N.W. 11th Floor Washington, D.C. 20005 (202) 628-8200 nbagot@epsa.org Jack Cashin
Director, Regulatory Affairs
Electric Power Supply Association
1401 New York Avenue, N.W.
11th Floor
Washington, D.C. 20005
(202) 628-8200
jcashin@epsa.org

LARGE PUBLIC POWER COUNCIL

Jonathan D. Schneider Stinson Morrison Hecker, LLC 1150 18th Street, N.W. Washington, D.C. 20036 (202) 728-3034 jschneider@stinson.com

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Barry R. Lawson
Manager, Power Delivery
National Rural Electric
Cooperative Association
4301 Wilson Boulevard
Arlington, Virginia 22203
(703) 907-5781
barry.lawson@nreca.coop

Richard Meyer
Senior Regulatory Counsel
National Rural Electric
Cooperative Association
4301 Wilson Boulevard
Arlington, Virginia 22203
(703) 907-5811
richard.meyer@nreca.coop

TRANSMISSION ACCESS POLICY STUDY GROUP

Roy Thilly, CEO WPPI Energy 1425 Corporate Center Drive Sun Prairie, Wisconsin 53590 (608) 837-2653 rthilly@wppienergy.org

Cynthia S. Bogorad
Rebecca J. Baldwin
Spiegel & McDiarmid LLP
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 879-4000
cynthia.bogorad@spiegelmcd.com
rebecca.baldwin@spiegelmcd.com

III.

COMMENTS

As discussed in NERC's June 10 Petition, the new Standard Processes Manual incorporates numerous process improvements sought by the industry (and by the Commission) that will enhance the quality and quicken the pace of Reliability Standards development, while respecting American National Standards Institute requirements for standards accreditation and the statutory framework for standards development established in section 215 of the Federal Power Act ("FPA"). Many of the process improvements accomplished in the Standards Processes Manual are directly responsive to stakeholder comments on the standards process submitted to NERC during the course of NERC's development of the Three-Year Electric Reliability Organization Performance Assessment Report that was submitted to the Commission on July 20, 2009, in Docket No. RR09-7-000.

In summary, the proposed changes will improve standards quality, reduce standards development time, reduce resource burdens on the industry to review and comment on draft standards, and improve the overall quality of NERC Reliability Standards. For these reasons, the Trade Associations support prompt approval of NERC's Petition without condition and request the earliest possible effective date for the proposed manual.

NERC and the industry are committed to continuous improvement of the standards development process. However, at this time it is critically important for proposed changes in NERC's petition to be approved as expeditiously as possible so that these streamlined processes can be implemented by NERC and the industry. For these reasons, the Trade Associations suggest that, should the Commission identify potential additional improvements to the Standards Processes Manual or other related changes to the NERC Rules of Procedure that may be appropriate or necessary under FPA section 215, the Commission should direct NERC to consider such modifications for inclusion in a subsequent version of the Standards Processes Manual.

IV.

CONCLUSION

WHEREFORE, the Trade Associations request that the Commission approve NERC's June 10, 2010 Petition for expedited approval of the Standards Processes Manual to be included as the amended Appendix 3A to the NERC Rules of Procedure, replacing the currently approved Reliability Standards Development Procedure, and grant NERC's request that the manual be made effective immediately upon approval.

Respectfully submitted,

AMERICAN PUBLIC POWER ASSOCIATION

By /s/ Allen Mosher

Susan N. Kelly, Vice President of Policy Analysis and General Counsel Allen Mosher, Senior Director of Policy Analysis

and Reliability
Nathan Mitchell, Director of Reliability Standards
and Compliance

American Public Power Association 1875 Connecticut Avenue, N.W., Suite 1200 Washington, D.C. 20009-5715 (202) 467-2900

EDISON ELECTRIC INSTITUTE

By ______/s/ David K. Owens_____

David K. Owens, Executive Vice President— Business Operations James P. Fama, Executive Director—Energy Delivery Barbara A. Hindin, Associate General Counsel Edison Electric Institute 701 Pennsylvania Avenue, N.W. Washington, D.C. 20004-2696 (202) 508-5019

ELECTRIC POWER SUPPLY ASSOCIATION

By _____/s/ Nancy Bagot_____

Nancy Bagot Vice President of Regulatory Affairs Electric Power Supply Association 1401 New York Avenue, N.W., 11th Floor Washington, D.C. 20005 (202) 628-8200

LARGE PUBLIC POWER COUNCIL

By /s/ Jonathan D. Schneider _____

Jonathan D. Schneider Stinson Morrison Hecker, LLC 1150 18th Street, N.W. Washington, D.C. 20036 (202) 728-3034

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

By ______/s/ Richard Meyer_____

Richard Meyer, Senior Regulatory Counsel Jay A. Morrison, Senior Regulatory Counsel Barry Lawson, Manager, Power Delivery National Rural Electric Cooperative Association 4301 Wilson Boulevard Arlington, Virginia 22203-1860 (703) 907-5811

TRANSMISSION ACCESS POLICY STUDY GROUP

By <u>/s/ Cynthia S. Bogorad</u>

Cynthia S. Bogorad Rebecca J. Baldwin Spiegel & McDiarmid LLP 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036 (202) 879-4000

July 12, 2010

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 this proceeding Dated at Washington, D.C., this 12th day of July, 2010.

By	/s/

Allen Mosher Senior Director of Policy Analysis and Reliability American Public Power Association 1875 Connecticut Avenue, N.W., Suite 1200 Washington, D.C. 20009-5715 (202) 467-2944