

*via e-mail to* [ROPcomments@nerc.net](mailto:ROPcomments@nerc.net)

**COMMENTS OF TRANSMISSION ACCESS POLICY STUDY GROUP  
ON PROPOSED CHANGES TO SECTION 300  
OF THE NERC RULES OF PROCEDURE**

TAPS thanks NERC for the opportunity to respond to NERC’s proposed changes to section 300 of the NERC Rules of Procedure (“ROP”), posted January 18, 2023.<sup>1</sup> TAPS supports the redline of Rule 322 submitted by the Large Public Power Council, and submits these limited additional comments on proposed Rule 322 and the proposed changes to Rule 321.

TAPS appreciates NERC’s recognition, in response to Member Representatives Committee policy input submitted in November 2022, that Rule 322 is to be used only in extraordinary circumstances. The additional changes proposed by LPPC are needed to provide further clarity regarding this expectation by specifying that any exercise of Rule 322 authority must be supported by a written and appealable determination, including an explanation of why a Board directive is necessary. By clarifying the conditions under which a Board directive could be issued and providing for prompt appeal, LPPC’s revisions would partially mitigate the risk that this proposed expanded Board authority could negatively impact stakeholders’ willingness to raise legitimate concerns about proposed standards, leading to less effective and more controversial reliability standards and undermining the ERO stakeholder model.

With respect to NERC’s proposed changes to Rule 321, while TAPS recognizes NERC’s concern that it be able to react promptly to urgent issues, we believe that much would be lost, and little gained, by granting NERC the identical Rule 321 authority for Board directives as it has in the FERC directive context. Specifically, TAPS is concerned about NERC having the authority to direct, develop, and file a standard lacking substantial ballot body support. Stakeholder consensus is the hallmark of NERC standards and the ERO Enterprise. TAPS would be happy to work with NERC Staff to suggest language that would preserve the ERO stakeholder model while providing NERC with other options in such a situation.

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<sup>1</sup> NERC Rules of Procedure, [Section 300 – Reliability Standards Development](#) (posted Jan. 18, 2023), (“Proposed Rules”).