

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Supply Chain Risk Management
Reliability Standards Revisions

Docket No. RM24-4-000

**MOTION FOR LEAVE TO FILE LIMITED RESPONSIVE COMMENTS AND
LIMITED RESPONSIVE COMMENTS
OF TRANSMISSION ACCESS POLICY STUDY GROUP**

Pursuant to Rule 212 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) Rules of Practice and Procedure,¹ the Transmission Access Policy Study Group (“TAPS”) respectfully requests leave to file limited comments in response to the joint comments of the American Public Power Association (“APPA”) and Large Public Power Council (“LPPC”)² on the Notice of Proposed Rulemaking (“NOPR”) issued in this proceeding,³ and submits limited responsive comments in support of the APPA/LPPC Comments.

**I. MOTION FOR LEAVE TO FILE LIMITED RESPONSIVE
COMMENTS**

TAPS respectfully requests leave to submit the following limited response to the APPA/LPPC Comments. The Commission routinely accepts similar filings for good cause, such as when doing so will not prejudice other parties and will assist the Commission’s decisionmaking.⁴ Given the early stages of this proceeding, TAPS’s comments will not prejudice other parties. And they will aid the Commission’s

¹ 18 C.F.R. § 385.212.

² Motion to Intervene and Comments of the American Public Power Association and the Large Public Power Council (Dec. 2, 2024), eLibrary No. 20241202-5214 (“APPA/LPPC Comments”).

³ *Supply Chain Risk Mgmt. Reliability Standards Revisions, Notice of Proposed Rulemaking*, 188 FERC ¶ 61,174 (2024) (“NOPR”).

⁴ *See, e.g., Midcontinent Indep. Sys. Operator, Inc.*, 152 FERC ¶ 61,216, P 58 (2015) (accepting additional filings “because they have provided information that assisted us in our decision-making process”), *reh’g denied*, 155 FERC ¶ 61,134 (2016).

understanding of important issues that should be considered as the Commission evaluates how best to move forward with the NOPR.

II. INTERESTS OF TAPS

TAPS is an association of transmission-dependent utilities (“TDUs”) in thirty-five states promoting open and non-discriminatory transmission access.⁵ TAPS members have long recognized the importance of grid reliability. As TDUs, TAPS members are users of the Bulk Power System (“BPS”) and are highly reliant on the reliability of facilities owned and operated by others for the transmission service required to meet TAPS members’ loads. In addition, many TAPS members participate in the development of and are subject to compliance with North American Electric Reliability Corporation (“NERC”) reliability standards.

Communications regarding these proceedings should be directed to:⁶

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III. LIMITED RESPONSIVE COMMENTS

TAPS’s limited responsive comments address one NOPR proposal: that NERC develop⁷

⁵ See TAPS, *About Us*, <https://www.tapsgroup.org/about-us/> (last visited Dec. 16, 2024). Jane Cirrincione, Northern California Power Agency, is the TAPS Chair; Kevin Gaden, Illinois Municipal Electric Agency, is the Vice Chair. Tom Heller is TAPS’s Executive Director.

⁶ TAPS requests that the Commission waive Rule 203(b)(3) of its Rules of Practice and Procedure, 18 C.F.R. § 385.203(b)(3), to allow each of the individuals listed below to be placed on the official FERC service list in order to avoid delays in receipt of notices and responses to pleadings.

⁷ NOPR P 35.

new or modified Reliability Standards that require a responsible entity to establish steps in its [Supply Chain Risk Management] plan to validate the completeness and accuracy of information received from vendors during the procurement process to better inform the identification and assessment of supply chain risks associated with vendors' software, hardware, or services.

TAPS generally supports the APPA/LPPC Comments. As those Comments rightly recognize, security risks associated with industry vendors cannot be ignored.⁸ But attempting to address these risks by imposing validation requirements on individual registered entities is likely to be expensive, inefficient, and ineffective. The APPA/LPPC Comments explain:⁹

When these issues first came to fore, and in the same time frame in which CIP-013 was being developed, Public Power Utilities urged NERC to take an active role in the development of supplier security protocols, along with a NERC-approved set of protocols for vendors of equipment and software in certain circumstances. That approach still seems to Public Power Utilities to makes sense. And if not NERC, the Department of Energy may play such a role. But in either event, an approach of this nature would recognize the national risk that supplier security practices represents, and the illogic of a decentralized, utility-specific compliance requirement. The proposed approach will, we fear, be costly, inefficient, and ultimately unsuccessful in managing supplier risk.

TAPS agrees that a centralized approach would best address this important issue. As it considers the path forward, we urge the Commission to consider centralized approaches (as opposed to decentralized, utility-specific compliance requirements) through which it could better accomplish its goals.

⁸ APPA/LPPC Comments at 4.

⁹ *Id.*

Respectfully submitted,

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December 16, 2024

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing motion to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated on this 16th day of December, 2024.

/s/ Lauren L. Springett

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