

**COMMENTS OF THE EDISON ELECTRIC INSITUTE ON
PROPOSED CHANGES TO NERC RULES OF PROCEDURE AND ASSOCIATED
APPENDICES (POSTED 9/2/2011)**

On behalf of its members, EEI is pleased to provide these comments on the Proposed Changes to the NERC Rules of Procedure (ROP) and associated Appendices 3A, 3B, 3C, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 6 and 8), as well as the proposed new Appendix 2, *Definitions of Terms Used in the Rules of Procedure*. Comments are provided in sequential order of the ROP and Appendices.

Comments on proposed changes to the Rules of Procedure

Section 307 (pg.11)– The Standards Process Manager (SPM) position is referenced in this section cannot be found in Appendix 3A, the NERC Standards Process Manual (pg.8), the Reliability Standards Program Organization. EEI recommends this position be added to Appendix 3A in order to capture the responsibilities in the ROP Section 307.

**Comments on proposed changes to the Rules of Procedure, Appendix 2,
Definitions Used in the Rules of Procedure**

The EEI believes that consolidation of all definitions used in the ROPs and associated Appendices makes sense and supports this objective. However, in reviewing various Appendices of the ROPs, there were several “Definition” and “Glossary” Sections that were not deleted and, as a result, the defined terms exist in multiple locations. We appreciate that the definitions were left in the relevant sections for ease of use. However, EEI recommends that these “Definition” and “Glossary” sections be deleted and a statement added that *“all defined terms can be found in the ROP, Appendix 2, Definitions Used in the Rules of Procedure”*. Otherwise, there may be instances where definitions may be changed in one section and not in the other, and results in inconsistencies for defined terms in the ROPs. If the definitions are left in the underlying sections, NERC should ensure that appropriate changes are made wherever the definition appears, should changes be made.

EEI is also concerned that in a couple cases, one defined term has two distinctly different definitions. NERC should evaluate this and determine if there is a way to split the two and make them separate terms by modifying the defined term’s name. (e.g. Certification term used in ROP Section 500, Appendix 5A and Appendix 6). This will avoid confusion as to the appropriate usage of the term,

Appendix 2 – Definitions used in the ROP

“Advisories,” “Recommendations,” and “Essential Actions”

1. Change “Level 1 Advisories” to “Level 1 (Advisories)” since the term appears with parentheses in the referenced ROP section.
2. Make conforming changes and add parentheses in the definitions of “Recommendations” and “Essential Actions.”

“Bulk Power System”

1. The Section 215 term has a hyphen (i.e., Bulk-Power System). If NERC is using the statutory definition, it should follow it.
2. The last sentence is awkward and confusing and should be revised. It appears that the definition says that BPS does not include BES. EEI believes that the intent was that for purposes of Appendix 4E, BPS means BES. There should be a period after the end of the statutory definition and the remainder of should be a separate sentence.
3. EEI has an additional concern with the last part of the definition referencing the BES. Why is BES only referenced as being applicable to Appendix 4E? It doesn't make sense to have a special provision that “BPS = BES” only for the Compliance and Certification Committee hearing procedures but not for the rest of the ROP or even the CMEP. EEI asks NERC to review this issue, to revise the definition and to clarify the applicability of BES and BPS.

“CCC” is defined, but the Compliance and Certification Committee is not.

“Credential” should be modified in two respects:

1. It should have the underlined language inserted as follows to make it clear who has achieved the qualification: “...level of qualification achieved by an operating entity...;”
2. The phrase “(i.e., reliability operator, ...)” should be updated to include only functional model terms defined in Appendix 2 such as Reliability Coordinator, Transmission Operator, and Balancing Authority. Most of the current terminology is outdated.

“Critical Infrastructure Protection Standards” has several issues:

1. The reference to CIP-002 through CIP-009 should be deleted because a change in the number of standards will necessitate a ROP change. Also, it is unclear why CIP-001 was left out. This language is suggested: “... means any of the NERC Reliability Standards with the prefix “CIP.”

2. Because this definition refers to NERC Reliability Standards, is it assumed that a there couldn't be a Regional CIP Reliability Standard?

“Director of Compliance” presumes one “Compliance Staff,” a capitalized but undefined term. There is not “Director of Compliance” at NERC now – there are two separate staffs – Compliance Enforcement and Compliance Operations – that report to separate NERC executives.

“Segments”

1. Should include a footnote that is the same as footnote 8 in the Appendix 3A so that one can actually find the segments and their associated qualification criteria.
2. Furthermore, ROP Section 304.5 conflicts with the note on the definition of Segment regarding the fact that Segments are not defined in Appendix 3A.
3. Finally, the word “Stakeholder” before “Segment” should be deleted. It appears in various places in the ROP (e.g., Section 304.5) and is confusing now that Segment has been defined.

“Senior Manager” refers to a term used in a specific standard. If important, it should have been defined in the NERC Glossary, but it is not defined there. It could not be found elsewhere in the proposed ROP changes and therefore it should be deleted.

Definitions missing:

1. “North American Electric Reliability Corporation” (NERC) means the Electric Reliability Organization in the United States that was named by FERC in 116 FERC ¶ 61,062. Any responsibilities of NERC in the Rules of Procedure are the responsibility of the Board or Trustees unless specifically delegated by the Board to another entity that reports to it.
2. “NERC Bylaws” is referenced in several definitions (e.g., Member Representatives Committee and Sector) with “Bylaws” inconsistent capitalization. A definition of NERC Bylaws with a footnote as to where they can be found would be helpful.
3. “Effective Date” is defined for TFEs, but a similar term should be defined for Section 300 – Reliability Standards Development as “the date when a Reliability Standard is mandatory and enforceable.”
4. “Cascading” is defined in the NERC Glossary and should likewise be defined in Appendix 2 and capitalized wherever the term is used.

Comments on proposed changes to the Rules of Procedure, Appendix 3A, NERC Standards Process Manual

The Standards Process Manager (SPM) position described in Section 307 (pg.11) of the ROP is not described within the NERC Standards Process Manual (pg.8), Reliability Standards Program Organization. Since this position has certain responsibilities referenced in other Appendices of the ROPs (e.g. Appendix 3B, pg.2), EEI recommends it be added to Appendix 3A.

Comments on proposed changes to the Rules of Procedure, Appendices 3B, 3C, 4A, 4B, 5B and 8 – No Comments

Comments on proposed changes to the to the Rules of Procedure, Appendix 4C, NERC Compliance Monitoring and Enforcement Program (CMEP),

Section 1.1(pgs. 1-4) of Appendix 4C should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the definition section and adding a statement to point to Appendix 2 for all the definitions within the Appendix 4C.

Furthermore, **Attachment 2 –Hearing Procedures to Appendix 4C**, Section 1.1.5 (pgs.2-4), Definitions, should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the definition section and adding a statement to point to Appendix 2 for all the definitions within Appendix 4C.

Comments on proposed changes to the Rules of Procedure, Appendix 4D Technical Feasibility Exceptions (TFEs) to NERC CIP Standards

Definitions Section 2.0 (pgs.2-4) in Appendix 4D should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the definition section and adding a statement to point to Appendix 2 for all the definitions within Appendix 4D.

Comments on proposed changes to the Rules of Procedure, Appendix 4E, Compliance and Certification Committee (CCC) Hearing Procedures

Two Sections 1.1.5 (pgs. 2-4) within the two procedures of Appendix 4E, entitled Definitions, should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the definition section and adding a statement to point to Appendix 2 for all the defined terms within Appendix 4E.

Comments on proposed changes to the Rules of Procedure, Appendix 5A

Definitions section (pg.21-22) at the end of Appendix 5A should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the

definition section and adding a statement to point to Appendix 2 for all the definitions within Appendix 5A.

Also, note that the defined term “Certification” used in ROP Section 500, Appendix 5A and Appendix 6 has two definitions in Appendix 2. Definitions are used in two contexts.

Comments on proposed changes to the Rules of Procedure, Appendix 6

Glossary section (pg.24-25) at the end of Appendix 6 should be deleted since all definitions are now part of Appendix 2 of the ROPs. EEI recommends deleting the definition section and adding a statement pointing to Appendix 2 for all the definitions within Appendix 6.