Unofficial Comment Form

2023 Revisions to Standard Processes Manual

Draft 2

**Do not** use this form for submitting comments. Use the [Standards Balloting and Commenting System (SBS)](https://sbs.nerc.net/) to submit comments on the **second draft of the Standard Processes Manual (SPM) Revisions** by **8 p.m. Eastern, Tuesday, May 30, 2023.
m. Eastern, Thursday, August 20, 2015**

Additional information is available on the [project page](https://www.nerc.com/pa/Stand/Pages/Standards-Process-Stakeholder-Engagement-Group-2022.aspx). If you have questions, contact Director, Standards Development, Latrice Harkness (via email) or at 404-446-9728.

## Background Information

NERC initiated this project in January 2023 to implement the recommendations of the Standards Process Stakeholder Engagement Group (SPSEG). The SPSEG was appointed by NERC Board of Trustees Chair Ken DeFontes to make recommendations that would improve the agility of NERC’s standard development processes to address urgent reliability needs, while also maintaining reasonable notice and opportunity for public comment, due process, openness, and balance of interests.

## Summary of Changes Overview

Several proposals from the first draft have been revised in response to stakeholder comments, including proposals related to Standard Authorization Requests, comment periods, and the final ballot. For a summary of the changes made, see the Consideration of Comments on the [project page](https://www.nerc.com/pa/Stand/Pages/Standards-Process-Stakeholder-Engagement-Group-2022.aspx).

NERC has posted the **second draft of revisions to Appendix 3A, SPM** and the questions below address the proposed changes**.**

## Questions

**American National Standards Institute (ANSI) Accreditation**

NERC proposes to remove the requirement for NERC to maintain continued ANSI accreditation in Section 300 of the Rules of Procedure, but still maintain the core principles of an open and inclusive standards development process. NERC proposes several revisions throughout the SPM to conform to this change, including removal of reference to ANSI accreditation (e.g., Section 16.0) and to ANSI procedural requirements for continued accreditation (e.g., five-year periodic reviews in Section 13.0).

In response to comments, NERC proposes to revise SPM Section 1.4 to clarify that NERC has a statutory obligation under Section 215 of the Federal Power Act to maintain a standards process that “provide[s] for reasonable notice and opportunity for public comment, due process, openness, and balance of interests in developing reliability standards.” Further, that this obligation will remain even if NERC is no longer required to seek ANSI accreditation under its Rules of Procedure.

1. Do you agree that the proposed changes to SPM Section 1.4 communicate that NERC’s process will continue to provide for reasonable notice and opportunity for public comment, due process, openness, and balance of interests in developing standards? If not, please explain.

[ ]  Yes

[ ]  No

Comments:

**Posting of Standard Authorization Requests (SARs)**

NERC proposes to revise Section 4.2 SAR Posting to clarify that the Standards Committee determines SARs that have had “some vetting in industry.” In response to comments, NERC Staff will ask the Standards Committee to further define its expectations for this vetting as part of its work to address the SPSEG recommendations (See March 23, 2023 SC Agenda package item 11, [SPSEG Process Improvement Recommendations Work Plan](https://www.nerc.com/comm/SC/Agenda%20Highlights%20and%20Minutes/SC_Agenda_Package_March%2022_2023.pdf)).

1. Do you agree that that the proposed change to Section 4.2 is appropriate? If not, please explain.

[ ]  Yes

[ ]  No

Comments:

**Standards Comment Periods**

NERC proposes to revise Section 4.0 of the SPM to implement a tiered structure for comment periods. For many projects, the number of unresolved issues and the scope of proposed changes tend to narrow over multiple successive ballot periods. The proposed tiered structure would provide flexibility to drafting teams to consider shorter comment periods for additional ballots, where appropriate in light of the incremental changes that they are making. Conforming changes are also proposed throughout the SPM.

In response to comments, NERC has modified its initial proposal. The initial formal comment period would remain 45-days long, as it is presently. However, a second or subsequent comment period may be as few as 30 days long (up from 20 for a third posting in the first draft), to still allow time for meaningful comments. The SPM would also provide that the drafting team consider, at a minimum, the nature of the changes from the previous draft, the comments received, the technical complexity of the subject matter, and the number of Reliability Standards affected in determining whether a shorter or longer comment period is appropriate, with the goal of selecting the appropriate comment period length that would best aid in developing a consensus standard.

The Standards Committee’s authority under Section 16.0 Waiver to allow shorter periods for specific projects is not changed.

1. Do you agree that the minimum length of comment periods should be shortened to as few as 30 days for additional comment periods and ballots, depending on the circumstances, as proposed in Section 4.12? If not, please explain.

[ ]  Yes

[ ]  No

Comments:

**Option to Skip Final Ballot for High Consensus Standards**

NERC proposes to remove the requirement in current SPM Section 4.13–4.14 to conduct a final ballot for certain standards actions. In the first posting, NERC proposed to remove the requirement for all standards actions, regardless of passage rate, and to allow the team to make non-substantive changes following ballot body approval. In response to comments, NERC has modified this proposal to limit the option to only those cases where there is a high degree of consensus for the standard as written.

As revised, Section 4.13 would allow (but not require) a drafting team to conclude a standards action without a final ballot only under the following circumstances: (1) the previous ballot achieved 85% or greater approval; (2) the drafting team has made a good faith effort at resolving objections; (3) the drafting team has responded in writing to comments; and (4) the drafting team is proposing no further changes. NERC would be required to post the final outcome same as would be required if a final ballot had been conducted. Conforming changes to note the option are also proposed throughout the SPM. Currently-effective language regarding final ballots that was struck in the first draft has been restored.

1. Do you agree with the proposal to allow teams the option to skip a final ballot in those cases where there is a high degree of consensus for the standard as written, a demonstrated by: (1) an 85% or higher approval rating on the previous ballot; (2) the drafting team has made a good faith effort at resolving applicable objections; (3) the drafting team has responded in writing to comments; and (4) the drafting team is proposing no further changes? If not, please explain.

[ ]  Yes

[ ]  No

Comments:

**Further Clarifications Regarding Terminating Unsuccessful Projects**

In response to comments, NERC has clarified language in Section 4.12 and Section 4.14 regarding termination of unsuccessful projects and the actions the Standards Committee may take following an unsuccessful final ballot. Revisions include clarifying what it means for a project to “return to informal development” and explaining how the Standards Committee may be prompted with the opportunity to conclude an unsuccessful standards project.

1. Do you agree that the proposed revisions to Section 4.12 provide clarity on how the Standards Committee may consider termination of an unsuccessful project and actions it may take? If not, please explain.

[ ]  Yes

[ ]  No

Comments:

1. Do you agree that the proposed revisions to Section 4.14 provide clarity on actions the Standards Committee may take after an unsuccessful final ballot?

[ ]  Yes

[ ]  No

Comments:

**Other Revisions**

Other revisions include minor clarifying changes, capitalization corrections, and updating the flow charts to reflect the typical standards process.

1. Please provide any other comments for the team to consider, if desired.

Comments: