

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ELECTRIC RELIABILITY

North American Electric Reliability Corporation  
Docket No. RR09-3-000

May 22, 2009

North American Electric Reliability Corporation  
1120 G Street N.W., Suite 990  
Washington, D.C. 20005-3801

Attention: Rebecca J. Michael, Attorney

Reference: Docket No. RR09-3-000 – Petition of the North American Electric Reliability Corporation for approval of proposed revision to the Bylaws of Reliability*First* Corporation

Dear Ms. Michael:

1. On March 24, 2009, the North American Electric Reliability Corporation (NERC) submitted a filing that proposed modifications to the Bylaws of Reliability*First* Corporation (Reliability*First*).
2. NERC states that the Bylaws' amendments consist of two substantive amendments and a number of typographical or clerical corrections and revisions. The two substantive amendments are: (1) changes relating to independent directors in §§7.4(a), 7.4(d), 7.4(g), 7.5, 7.7(b), 7.9 and 7.13; and (2) changes relating to electronic transmission in §§5.8, 6.8, 6.9, 6.10.2, 6.10.4, 7.7(a) and 7.11. NERC explains that changes relating to independent directors are intended to allow flexibility so that Reliability*First* may appoint an independent director to handle the increasing workload related to hearings, thus increasing the size of the Reliability*First* Board of Directors to fifteen members. NERC states that Reliability*First*'s proposed changes regarding electronic transmission will clarify that the use of electronic transmission, e.g. facsimile and email, is a valid method providing for actions via written correspondence. In addition, NERC proposes the removal of language concerning financial obligations upon withdrawal of Membership, as those obligations are no longer associated with Membership.

3. Notice of this filing was issued on March 24, 2009, with comments, protests or motions to intervene due on or before April 14, 2009.
4. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). No protests or adverse comments were filed.
5. NERC's uncontested filing is approved pursuant to the relevant authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.314.
6. This action shall not be construed as accepting any other contingency plan pursuant to 18 C.F.R. § 375.314(a)(1)(i) or any other data or report pursuant to 18 C.F.R. § 375.314(b)(3)(iv). This action shall not be construed as approving any other application including Electric Reliability Organization or Regional Entity Rules or procedures pursuant to 18 C.F.R. § 375.314(a)(2)(i). Such acceptance or approval shall not be deemed as recognition of any claimed right or obligation associated therewith; and such acceptance or approval is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceeding now or pending or hereafter instituted by or against ReliabilityFirst or NERC.
7. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Joseph H. McClelland, Director  
Office of Electric Reliability

Document Content(s)

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