

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
OFFICE OF ELECTRIC RELIABILITY

North American Electric Reliability Corporation
Docket Nos. RR09-9-002
RR08-6-004
RR07-16-004

March 8, 2010

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

Attention: Rebecca J. Michael, Attorney

Reference: Partial Compliance Filing to October 15, 2009 Commission Order

Dear Ms. Michael:

1. On January 11, 2010, the North American Electric Reliability Corporation (NERC) submitted a partial compliance filing in response to the Commission's October 15, 2009 Order.¹
2. In accordance with the Commission's October 15th directive, NERC has submitted a compliance filing providing an evaluation of the adequacy of NERC and Regional Entity resources to implement the Technical Feasibility Exceptions (TFEs) activity. In its filing, NERC explains that the Regional Entities have received only 137 TFEs to date. Due to this fact, NERC explains that there is not yet sufficient expertise to provide a basis for evaluating the adequacy of resources dedicated to this activity. NERC identifies the resources currently being dedicated to this activity by itself and each Regional Entity, and requests that the Commission authorize and direct NERC to file a further evaluation of Regional Entity resources by May 3, 2010.
3. Notice of this filing was issued on January 14, 2010, with comments, protests or motions to intervene due on or before February 10, 2010.

¹ *North American Electric Reliability Corp.*, 129 FERC 61,040 (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). Any opposed or untimely filed motions to intervene are governed by the provisions of Rule 214. No protests or adverse comments were filed.

5. NERC's uncontested filing is accepted pursuant to the relevant authority delegated to the Director, Office of Electric Reliability, under 18 C.F.R. § 375.303. In addition, the Commission hereby grants NERC's request to file a further evaluation of Regional Entity resources by May 3, 2010.

6. This action shall not be construed as accepting any other contingency plan pursuant to 18 C.F.R. § 375.303(a)(1)(i) or any other data or report pursuant to C.F.R. § 375.303(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. § 375.303(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 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