

information upon which to make a decision, NERC requests leave to submit this limited response to SLECA's Answer.

II. LIMITED ANSWER

SLECA is subject to registration under section I of the Registry Criteria because it is a "user" of the BPS. Whether an entity is a "user" of the BPS is a threshold question in the analysis and application of the NERC Registry Criteria. Whether an entity such as SLECA owns or operates BPS elements is only relevant to registration as a Transmission Owner or Operator. Neither of these registry functions is at issue in this case. Registration as a DP or LSE does not rely on ownership or operation of BPS elements. Rather, the analysis as to whether an entity meets the Criteria for these functions relies on the performance of the functions described in section II, as well as the thresholds established in section III of the Registry Criteria. SLECA is a "user" of the BPS under section I of the Registry Criteria and meets the criteria of a DP and LSE under section III. Therefore, the NERC Board of Trustees Compliance Committee's decision to uphold SLECA's registration as a DP and LSE should be affirmed.

While NERC disputes SLECA's characterization of the discussion held between the parties, the relevant diagrams are part of the record and therefore are available for the Commission's review.

our decision making process"); *North American Electric Reliability Corporation*, 117 FERC ¶ 61,091, at P 18 (2006) (same); *North American Electric Reliability Corporation*, 119 FERC ¶ 61,248, at P 6 (2007); *North American Electric Reliability Corporation*, 127 FERC ¶ 61,209 (2009), at P 5.

III. CONCLUSION

NERC respectfully requests that the Commission accept NERC's Answer and uphold SLECA's registration as a DP and LSE.

Respectfully submitted,

/s/ Rebecca J. Michael

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Dated: April 30, 2013

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon all parties listed on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 30th day of April, 2013.

/s/ Rebecca J. Michael

Rebecca J. Michael
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