

28, 2020 would provide NERC with sufficient time to follow its procedure to post proposed ROP revisions for public comment, as required in the NERC Bylaws.⁶ An extension of the deadline would also allow NERC to include the Commission-directed ROP changes related to the certification program to an ongoing ROP project examining enhancements to the registration and certification program.

I. Motion for Extension of Time

NERC respectfully requests an extension of the July Compliance Filing deadline from July 21, 2020 to August 28, 2020, to comply with the Commission’s directive to enhance provisions of the ROP relating to the E-ISAC, the sanction guidelines, and the certification program. Good cause exists to grant this extension. In particular, the requested extension of time will allow NERC to follow its internal notice and comment procedures prior to submitting the proposed ROP revisions to the NERC Board of Trustees (“Board”). The extension of time will also allow NERC to present a complete set of registration and certification ROP revisions, which were in development prior to the Commission’s issuance of the Order.

Extending the deadline for the July Compliance Filing will allow NERC sufficient time to ensure transparency in developing revisions to the ROP. After NERC completes the drafting of its revisions, NERC will provide notice to stakeholders by posting the revisions on the NERC website. Once proposed revisions are posted, stakeholders are given a 45-day comment period to provide feedback on the ROP revisions. After the 45-day comment period, NERC may post the revisions for additional comment based on the nature and quantity of the revisions. NERC must justify its response to stakeholder comments, including when NERC chooses not to accept a revision

⁶ See *NERC Bylaws*, https://www.nerc.com/gov/Annual%20Reports/NERC%20Bylaws_Effective%20September%2025,%202018.pdf (effective September 25, 2018).

suggested by a stakeholder. NERC's responses to comments are posted on the NERC website. NERC must then provide the Board with sufficient time, generally 15 days, to review the proposed ROP revisions (including the consideration of comments) before the Board meeting. The current compliance deadline would require NERC to complete its ROP revisions and its notice and comment procedure for the May 13, 2020 Board meeting. NERC believes that it is more feasible to complete its process and submit the proposed revisions for the August 20, 2020 Board meeting.

Also, prior to the Commission's issuance of the Order, NERC was working on a broader scope of ROP changes to its registration and certification program. Particularly, NERC was working with the Regional Entities, stakeholders, and the Compliance and Certification Committee ("CCC") to enhance the registration and certification sections of the ROP. These ROP enhancements were initiated in response to the implementation of risk-based registration five years ago. This ongoing ROP project addresses a much wider scope of registration and certification changes than the Commission's directive. NERC will continue to develop ROP revisions to address the Commission-directed certification program in coordination with the Regional Entities, stakeholders and the CCC.

II. Conclusion

For the forgoing reasons, NERC respectfully requests that the Commission grant this motion and extend the deadline for NERC's July Compliance Filing to August 28, 2020.

Respectfully submitted,

/s/ Alain Rigaud

Nina Jenkins-Johnson
Senior Counsel
Alain Rigaud
Associate Counsel
North American Electric Reliability
Corporation
1325 G Street, N.W., Suite 600
Washington, D.C. 20005
(202) 400-3000
(202) 644-8099 – facsimile
Nina.johnston@nerc.net
Alain.rigaud@nerc.net

*Counsel for the North American Electric
Reliability Corporation*

Date: February 21, 2020