

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Demand and Energy Data Reliability Standard)

Docket No. RM14-12-000

**COMMENTS OF THE
NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION
IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING**

On September 18, 2014, the Federal Energy Regulatory Commission (“FERC” or the “Commission”) issued a Notice of Proposed Rulemaking (“NOPR”) proposing to approve Reliability Standard MOD-031-1 (Demand and Energy Data) and the definitions for the terms Demand Side Management and Total Internal Demand submitted by the North American Electric Reliability Corporation (“NERC”).¹ NERC supports the Commission’s proposal to approve the proposed Reliability Standard and provides the following comments on the NOPR.

I. COMMENTS

NERC agrees with the Commission that the proposed Reliability Standard:

- continues to provide Bulk-Power System planners and operators access to complete and accurate demand and energy data to allow such entities to conduct their own resource adequacy analyses to serve peak demand;
- provides for consistent documentation and information sharing practices for demand and energy data, promotes efficient planning practices across the industry, and supports the identification of needed system reinforcements; and
- reflects an improvement to the existing Reliability Standards addressing demand and energy data by: (i) providing applicable entities the authority to collect demand and energy data, and related information, to support reliability assessments; (ii) including Transmission Planners as applicable entities that must report demand and energy data; and (iii) requiring applicable entities to provide an explanation of current and previous demand side management forecasts and how their peak demand forecasts compare to actual demand for the prior calendar year.²

¹ *Demand and Energy Data Reliability Standards* 148 FERC ¶ 61,192 (2014) (“NOPR”).

² NOPR at P 8.

In the NOPR, the Commission requested comments on the collection of demand and energy data through mechanisms other than a data request issued pursuant to the proposed Reliability Standard.³ More specifically, the Commission seeks comments on the following:

- (1) The Commission's understanding that while a Planning Coordinator or Balancing Authority may collect demand and energy forecast data under a tariff or other arrangement, the Planning Coordinator or Balancing Authority always retains the option to seek the necessary data through a Requirement R1 data request if, for example, the data are not forthcoming through other means.
- (2) Whether a Planning Coordinator or Balancing Authority that receives data through alternative mechanisms remains obligated to provide such data (i.e., within the scope of Requirement R1) to a Regional Entity upon request, as set forth in Requirement R3.

As to the first issue, NERC confirms the Commission's understanding. As discussed in NERC's petition in this proceeding, the proposed Reliability Standard provides Planning Coordinators and Balancing Authorities the authority to issue data requests to compel applicable entities to provide the demand and energy data necessary to conduct reliability assessments. The proposed Reliability Standard, however, does not require Planning Coordinators and Balancing Authorities to issue such data requests if they have alternative means of obtaining or developing that data. The standard drafting team concluded that such a requirements is unnecessarily burdensome to meet the reliability objective of the proposed Reliability Standard. Nevertheless, Planning Coordinators and Balancing Authority may always use the authority provided by the proposed Reliability Standard as a backstop to ensure they obtain complete and accurate data.

With respect to the second issue, the intent of Requirement R3 was to require all Planning Coordinators and Balancing Authorities to provide the necessary demand and energy data to their respective Regional Entities to support the Electric Reliability Organization's ("ERO")

³ NOPR at PP 9-10.

development of seasonal and long-term reliability assessments. A strict reading of Requirement R3, however, indicates that it applies only to data collected pursuant to a data request issued under this Reliability Standard. To ensure that the ERO obtains all of the necessary Demand and energy data, NERC will work through its standards development process to modify the language of requirement R3 to clarify that Planning Coordinators and Balancing Authorities must provide their the demand and energy data to their Regional Entity, upon request, whether that data is collected pursuant to the proposed Reliability Standard or through alternative arrangements.

II. CONCLUSION

NERC looks forward to the Commission's final rule in this proceeding and respectfully requests that the Commission maintain its proposal to approve proposed Reliability Standard MOD-031-1.

Respectfully submitted,

/s/ Shamai Elstein

Charles A. Berardesco

Senior Vice President and General Counsel

Holly A. Hawkins

Associate General Counsel

Shamai Elstein

Counsel

North American Electric Reliability Corporation

1325 G Street, N.W., Suite 600

Washington, D.C. 20005

202-400-3000

charlie.berardesco@nerc.net

holly.hawkins@nerc.net

shamai.elstein@nerc.net

*Counsel for the North American Electric Reliability
Corporation*

Date: December 1, 2014