

September 9, 2013

VIA ELECTRONIC FILING

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: North American Electric Reliability Corporation
Docket No. RR13-9-000
Response of the North American Electric Reliability Corporation to
Motion of the Edison Electric Institute's Request for Extension of Time to Submit
Comments**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby submits the "Response Of The North American Electric Reliability Corporation to Edison Electric Institute's Request for Extension of Time to Submit Comments" (NERC Response to EEI Motion) in Docket No. RR13-9-000.

NERC's filing consists of: (1) this transmittal letter and (2) the NERC Response to EEI Motion, which are being transmitted in a single pdf file.

Please contact the undersigned if you have any questions concerning this filing.

Respectfully submitted,

/s/ Owen E. MacBride
Owen E. MacBride

Attorney for North American Electric
Reliability Corporation

UNITED STATES OF AMERICA
Before the
FEDERAL ENERGY REGULATORY COMMISSION

NORTH AMERICAN ELECTRIC)
RELIABILITY CORPORATION) **Docket No. RR13-9-000**

RESPONSE OF
THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION
TO EDISON ELECTRIC INSTITUTE’S
REQUEST FOR EXTENSION OF TIME TO SUBMIT COMMENTS

The North American Electric Reliability Corporation (“NERC”) submits this response to the “Motion to Intervene and Request for Extension of Time to Submit Comments of the Edison Electric Institute” (“EEI Motion”). EEI requests an extension of time to September 20, 2013 to file comments on the proposed 2014 Business Plans and Budgets of NERC and the Regional Entities. NERC does not object to EEI’s Motion to Intervene. NERC also does not object to a short extension of the comment deadline previously established by the Commission, but provides these comments for the Commission’s consideration in ruling on EEI’s request.

1. This case involves the Commission’s review of the 2014 Business Plans and Budgets of NERC and the eight Regional Entities. NERC filed its 2014 Business Plan and Budget and the 2014 Business Plans and Budgets of the Regional Entities (“2014 Budget Filing”) with the Commission on August 23, 2013, as required by the Commission’s ERO budget regulation at 18 C.F.R. §39.4(b).

2. On August 23, 2013, the Commission issued a notice setting the period for submission of comments on the 2013 Budget Filing to run through September 13, 2013.

3. On September 6, 2013, EEI filed its Motion requesting that the Commission extend the period for submitting comments on the 2014 Budget Filing to September 20, 2013. EEI’s grounds for its request for an extension are that (1) EEI needs additional time to prepare comments on the portion of the 2014 Budget Filing that sets forth the criteria the Commission has previously approved for determining whether NERC’s activities may be funded under §215

of the Federal Power Act (“§215 Criteria”) and applies the §215 Criteria to NERC’s major activities planned for 2014;¹ and (2) “the NERC Budget is a lengthy document that includes a broad range of NERC and Regional Entity activities.” EEI Motion at 2.

4. NERC calls to the Commission’s attention that during the development of its 2014 Business Plan and Budget, NERC posted a draft on its website for stakeholder comment on May 3, 2013 and posted a revised draft for stakeholder comment on June 17, 2013. NERC also posted the Final Draft of the 2014 Business Plan and Budget on its website on August 7, 2013.² Each of these three posted drafts included drafts of Exhibit B concerning application of the §215 Criteria to NERC’s major activities planned for 2014. The versions of Exhibit B included in the draft Business Plan and Budget posted on June 17 and in the Final Draft posted on August 7 were substantially the same as the final version of Exhibit B included in the 2014 Budget Filing.

5. EEI submitted comments on both the May 3 and the June 17 drafts of the NERC Business Plan and Budget.³ The comments submitted by EEI (and by other stakeholders) on the June 17 Business Plan and Budget draft, and NERC’s responses to those comments, are discussed in Attachment 13 to the 2014 Budget Filing. As indicated in Attachment 13, in response to the comments of EEI and other stakeholders, NERC made a number of changes to the June 17 draft in arriving at the August 3 Final Draft and the final, Board-approved Business Plan and Budget.⁴

6. As stated in the EEI Motion, EEI filed extensive comments on NERC’s proposed

¹ Exhibit B of the NERC 2014 Business Plan and Budget (Attachment 2 of the 2014 Budget Filing) sets forth the §215 Criteria as previously approved by the Commission and the application of the §215 Criteria to NERC’s major activities planned for 2014.

² See the narrative portion of the 2014 Budget Filing at 16-19.

³ EEI’s comments and all other comments submitted on the Business Plan and Budget drafts are available at: <http://www.nerc.com/gov/bot/FINANCE/Pages/2014NERCBusinessPlanandBudgetDL--.aspx>.

⁴ NERC also posted drafts of the Regional Entities’ 2014 Business Plans and Budgets on its website for stakeholder review and comment, and each Regional Entity separately provided opportunities for stakeholder comments on a draft of its Business Plan and Budget. See the narrative portion of the 2014 Budget Filing at 17-18 and 27-28. NERC is unaware of any comments being submitted by EEI in response to any of these opportunities.

§215 Criteria in the proceeding in which NERC proposed and the Commission adopted the §215 Criteria. EEI Motion at 2. However, in response to the posted drafts of the NERC 2014 Business Plan and Budget which included drafts of Exhibit B, as described in paragraph 4 above, EEI submitted **no** comments on the §215 Criteria or on the application of the §215 Criteria to NERC's major activities planned for 2014. In evaluating any comments that EEI may now submit on the §215 Criteria or on the application of §215 Criteria to NERC's major activities for 2014, the Commission should take into account that EEI submitted **no** comments on these topics during the stakeholder comment periods when NERC might have been able to address and resolve EEI's comments (as NERC in fact did for a number of the comments that EEI did submit on the posted drafts of the 2014 Business Plan and Budget).

7. Comments submitted to the Commission by EEI or any other commenter on the 2014 Budget Filing may raise questions that necessitate submission of a response by NERC and/or one or more Regional Entities following the conclusion of the extended comment period requested by EEI.

8. Pursuant to 18 C.F.R. §39.4(c), the Commission's order on the 2014 Budget Filing is required to be issued by November 2, 2012, regardless of whether the Commission grants EEI an extension of time to submit its comments.

Respectfully submitted,

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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 Chicago, Illinois, this 9th day of September, 2013.

/s/ Owen E. MacBride
Owen E. MacBride

Attorney for North American
Electric Reliability Corporation