

Guidance Document for Management of Remanded Interpretations

Approved by the Standards Committee

This document provides guidance regarding the management of Interpretations that have been remanded by an Applicable Governmental Authority.

In the event an Applicable Governmental Authority issues an order remanding a proposed Interpretation, NERC Legal and NERC Reliability Standards staff will consult with the original requestor regarding whether further action is necessary to provide clarity on the issue.

- If the requestor provides written notice that further action is not necessary, then NERC Legal and Standards staff will report the decision to the other Applicable Governmental Authorities.¹ A copy of the communication will be provided to: (1) the Standards Committee (SC); (2) the Regional Entities; and (3) the original requestor of the Interpretation. If the SC determines that there is an outstanding issue, it may submit a new Request for Interpretation or Standard Authorization Request pursuant to the NERC Standard Processes Manual (SPM).
- If the requestor provides written notice requesting further action to provide clarity on the issue, then NERC Legal and NERC Standards staff will evaluate the remand order as soon as is practicable and will make a recommendation to the SC regarding whether the Interpretation should be redeveloped or the applicable standard(s) be revised.
 - The SC will decide whether the Interpretation should be redeveloped as soon as is practicable or the applicable standard(s) should be revised and will document the basis of this decision. This decision is a procedural decision only and is not a substantive decision based on the technical content of the Interpretation.
 - If the Interpretation will be redeveloped, the SC should also decide whether to assign the Interpretation to the existing interpretation drafting team, or whether to dismiss the existing interpretation drafting team and assign the project to a new interpretation drafting team. The Interpretation will be redeveloped in accordance with the SPM. If a new Interpretation request is required, it shall be reviewed by NERC Standards and NERC Legal staff to ensure that the request is consistent with Section 7.0 of the NERC SPM.

¹ Compare Section 309 of the NERC Rules of Procedure, which requires that notifications be made to the Applicable Governmental Authorities in the case of a remanded Reliability Standard.

- If the Interpretation will not be redeveloped or the applicable standard(s) will be revised in lieu of redeveloping the interpretation, the SC will dismiss the existing interpretation drafting team.
- If the SC determines that revisions to the applicable Reliability Standard(s) are necessary, a Standard Authorization Request may be submitted by any entity or individual, including NERC committees or subgroups and NERC staff, to initiate development pursuant to the NERC SPM.
- Once the SC has made a decision regarding the procedural status of the Interpretation, NERC shall report the decision to the other Applicable Governmental Authorities. A copy of the communication will be provided to: (1) the SC; (2) the Regional Entities; and (3) the original requestor of the Interpretation.

The SC will refer any compliance questions arising from the remand to the Compliance & Certification Committee.

Version History

Version	Date	Owner	Change Tracking
1	April 19, 2014	Standards Information Staff	Approved by Standards Committee
2	January 18, 2017	Standards Information Staff	Periodic review; clarifying updates made.
3	September 17, 2019	Standards Information Staff	Periodic review; clarifying updates made.