

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

North American Electric Reliability
Corporation

Docket No. RR08-6-002 and
RR07-14-003

**TRANSMISSION ACCESS POLICY STUDY
GROUP'S MOTION TO INTERVENE AND
COMMENTS IN SUPPORT**

Pursuant to the Commission's December 16, 2008 Notice of Filing, and Rules 212 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.212 and .214, the Transmission Access Policy Study Group ("TAPS") seeks intervention in the above-captioned proceedings, and expresses its support of the decision of the North American Electric Reliability Corporation ("NERC"), as reflected in its December 15, 2008 Compliance Filing in Response to October 16, 2008 Order on 2009 Business Plans and Budgets,¹ to eliminate the Reliability Readiness Evaluation and Improvement Program in light of other programs to develop and enforce reliability standards and to improve reliability.

I. MOTION TO INTERVENE

TAPS is an informal association of transmission-dependent utilities in more than 30 states, promoting open and non-discriminatory transmission access.² As transmission-

¹ *N. Am. Elec. Reliability Corp.*, 125 F.E.R.C. ¶ 61,056 (2008) ("October 16 Order").

² TAPS is chaired by Roy Thilly, CEO of Wisconsin Public Power Inc. ("WPPI"). Current members of the TAPS Executive Committee include, in addition to WPPI, representatives of: American Municipal Power of Ohio; Blue Ridge Power Agency; Clarksdale Public Utilities; Connecticut Municipal Electric Energy Cooperative; Electricities of North Carolina Inc.; Florida Municipal Power Agency; Illinois Municipal Electric Agency; Indiana Municipal Power Agency; Madison Gas & Electric; Missouri Public Utility Alliance; Missouri River Energy Services; NMPP Energy; Northern California Power Agency; Oklahoma Municipal Power Authority; and Southern Minnesota Municipal Power Agency.

dependent utilities, TAPS members have long recognized the importance of grid reliability. Many TAPS members participate in the development of and are subject to NERC Reliability Standards. As load serving entities, TAPS members bear their share of the cost of the NERC budget.

TAPS is therefore directly affected by the instant filing. Its interests cannot adequately be represented by any other party, and its participation in this proceeding is in the public interest. TAPS should therefore be granted intervention to enable it to participate as a full party in this proceeding.

On November 17, 2008, TAPS filed a motion to intervene out of time in Docket Nos. RR08-6-000, RR07-14-001 (along with a request for clarification or rehearing of the Commission's October 16 Order). Because the Commission has not yet acted on that motion, TAPS seeks intervention in the above-captioned proceedings through the instant motion.

Communications regarding these proceedings should be directed to:

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II. COMMENTS

TAPS submits this filing to support NERC's determination (discussed at pages 18-34 of its December 15 Compliance Filing) to eliminate the Reliability Readiness

Evaluation and Improvement Program (“Readiness Program”). TAPS recognizes the importance of improving reliability and appreciates the Commission’s desire to foster programs that do so. However, TAPS agrees with NERC’s assessment that the Readiness Program has outlived its usefulness and is no longer cost effective, and its findings that improvement in reliability could better be achieved through directing NERC resources towards improving and enforcing standards coupled with other reliability improvement measures (*see* NERC’s December 16 Compliance Filing at 33-34). NERC’s decision to eliminate the Readiness Program was fully vetted and supported by NERC stakeholders, including the NERC Operating Committee. NERC’s well-justified decision bears the hallmarks of prudent management: resources should not be continue to be expended on programs that have become redundant and that no longer deliver reliability-enhancement value to the consumers that bear their cost.

Respectfully submitted,

/s/ Cynthia S. Bogorad

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January 14, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated on this 14th day of January, 2009.

/s/ Cynthia S. Bogorad

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