

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

North American Electric Reliability  
Corporation

Docket No. RR13-9-000

**MOTION TO INTERVENE ONE DAY OUT-OF-  
TIME AND COMMENTS OF TRANSMISSION  
ACCESS POLICY STUDY GROUP**

Pursuant to Commission Rules 212 and 214(d), 18 C.F.R. §§ 385.212 and 385.214(d), the Commission's August 23, 2013 Notice of the Request of the North American Electric Reliability Corporation for Acceptance of its 2014 Business Plans and Budgets and the 2014 Business Plans and Budgets of Regional Entities and for Approval of Proposed Assessments to Fund Budgets ("NERC Budget Request") and the September 10, 2013 Notice of Extension of Time, the Transmission Access Policy Study Group ("TAPS") requests intervention one business day out-of-time and comments in support of approval of NERC's 2014 Business Plan and Budget.

**I. MOTION TO INTERVENE ONE BUSINESS DAY LATE**

TAPS is an association of transmission-dependent utilities ("TDUs") in more than 35 states, promoting open and non-discriminatory transmission access.<sup>1</sup> As transmission-dependent utilities, TAPS members have long recognized the importance of grid reliability. As TDUs, TAPS members are users of the Bulk-Power System, highly reliant on the reliability of facilities owned and operated by others for the transmission service required to meet TAPS members' loads. In addition, many TAPS members participate in

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<sup>1</sup> Tom Heller, Missouri River Energy Services, chairs the TAPS Board. Cindy Holman, Oklahoma Municipal Power Authority, is TAPS' Vice Chair. John Twitty is TAPS' Executive Director.

the development of and are subject to compliance with NERC Reliability Standards.

Thus, TAPS is sensitive to both the need for standards to support grid reliability, as well as the need to make the standards clear and cost-effective.

TAPS has good cause for intervening one business day late, due to the unavailability of key personnel. TAPS intervention one day out-of-time will burden or prejudice no party. In any event, TAPS is willing to take the record as it now stands.

Given TAPS' direct interests in this proceeding, its participation is in the public interest. No other party can adequately represent TAPS interests. Accordingly, TAPS should be permitted to intervene with full rights as a party.

Communications regarding these proceedings should be directed to:

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## **II. COMMENTS IN SUPPORT OF ACCEPTANCE OF THE 2014 NERC BUDGET AND BUSINESS PLAN**

TAPS supports the acceptance of the 2014 NERC Budget and Business Plan.

TAPS appreciates the opportunity for stakeholders to participate in the process for developing the business plan.

TAPS supports the Joint Comments of the American Public Power Association and the National Rural Electric Cooperative Association (“APPA/NRECA Comments”)

regarding the 2014 NERC Budget and Business Plan.<sup>2</sup> We comment separately to emphasize in particular the importance of firmly anchoring the Electricity Sector Information Sharing and Analysis Center (“ES-ISAC”) within NERC, subject to a strict “no conduit” rule so that the industry can have full confidence that information reported to the ES-ISAC will not be used by NERC to perform event analyses or compliance and enforcement activities. Thus, we disagree with Edison Electric Institute’s suggestion that “[a]s a longer term goal, NERC should seek to find sources of funding for the ES-ISAC separate from Section 215.”<sup>3</sup> The ES-ISAC falls well within the Commission-approved NERC criteria for Section 215 funded activities.<sup>4</sup> Further, as explained in the APPA/NRECA Comments (at 6), “[f]unding the ES-ISAC through the NERC [S]ection 215 assessments provides both assured funding and business continuity to the ES-ISAC.” Both of these features are essential to the ability of the ES-ISAC to effectively perform its important role.

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<sup>2</sup> Joint Motion to Intervene and Comments of the American Public Power Association and the National Rural Electric Cooperative Association, Sept. 20, 2013, Docket No. RR13-9-000, eLibrary No. 20130920-5113.

<sup>3</sup> Motion to Intervene and Comments of the Edison Electric Institute 5 n.2, Sept. 19, 2013, Docket No. RR13-9-000, eLibrary No. 20130919-5153.

<sup>4</sup> *N. American Elec. Reliability Corp.*, 143 FERC ¶ 61,052 (2013).

## CONCLUSION

For the reasons set forth above, the Commission should grant TAPS intervention, and approve the 2014 NERC Budget and Business Plan, consistent with the guidance provided in the APPA/NRECA Comments.

Respectfully submitted,

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September 23, 2013

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 23rd day of September, 2013.

/s/ Cynthia S. Bogorad  
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