



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

January 11, 2010

Wholesale Electric Quadrant Executive Committee
c/o Corey Galik Cummings
North American Energy Standards Board
1301 Fannin Street, Suite 2350
Houston, TX 77002

RE: 2009 WEQ Annual Plan Item 3(a)(ii)(1)/R07013: NAESB's Non-Disclosure Agreement

Members of the Wholesale Electric Quadrant Executive Committee,

NERC appreciates the opportunity to provide formal comments regarding 2009 WEQ Annual Plan Item 3(a)(ii)(1)/R07013: NAESB's Non-Disclosure Agreement. NERC has a concern regarding item 1.c in the agreement.

Currently, this language reads as follows:

- c. the party has been designated by the Federal Energy Regulatory Commission to serve as the Electric Reliability Organization (ERO);

We are concerned that as written, it is not clear that the Regional Entities to which NERC may delegate certain duties are also parties from which the executing party is exempt from confidentiality requirements. Additionally, following legal staff review, we believe it may be of value to be more explicit in referencing the ERO's authority. Accordingly, we propose that item 1.c be replaced in its entirety with the following language:

- c. the party has been designated by the Federal Energy Regulatory Commission to serve as the Electric Reliability Organization (ERO), in accordance with Section 215 of the Federal Power Act, 16 U.S.C §824o (2000), or is a third-party regional entity performing the delegated duties of

proposing and enforcing Reliability Standards, in accordance with 18 C.F.R. §39.8, as defined in an current executed delegation agreement with the ERO;

We believe this language to be clearer and more accurate.

Additionally, NERC notes that in the phrase “The remaining provisions of this Agreement will continue in full force and affect,” the word “affect” should be replaced with “effect.”

Thank you again for the opportunity to provide our comments.

Sincerely,



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