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November 14, 2011

VIA ELECTRONIC FILING

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

**Re: *North American Electric Reliability Corporation*, Supplemental Comments of the
ISO/RTO Council on the Petition of the North American Electric Reliability
Corporation Requesting Approval of New Enforcement Mechanisms and Submittal of
Initial Informational Filing Regarding NERC's Efforts to Refocus
Implementation of its Compliance Monitoring and Enforcement Program; Docket No.
RC11-6-000**

Dear Secretary Bose:

Transmitted electronically for filing in the referenced docket are the Supplemental Comments of the ISO/RTO Council on the Petition of the North American Electric Reliability Corporation Requesting Approval of New Enforcement Mechanisms and Submittal of Initial Informational Filing Regarding NERC's Efforts to Refocus Implementation of its Compliance Monitoring and Enforcement Program.

If there are any questions concerning this filing, please call me at (202) 661-2205.

Respectfully submitted,

/s/ Howard H. Shafferman

Howard H. Shafferman
Counsel for ISO New England Inc.
On behalf of the ISO/RTO Council

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

North American Electric Reliability Corporation)

Docket No. RC11-6-000

SUPPLEMENTAL COMMENTS OF THE ISO/RTO COUNCIL

The ISO/RTO Council (“IRC”)¹ respectfully submits these supplemental comments on the Petition of the North American Electric Reliability Corporation (“NERC”) Requesting Approval of New Enforcement Mechanisms and Submittal of Initial Informational Filing Regarding NERC’s Efforts to Refocus Implementation of its Compliance Monitoring and Enforcement Program (the “Petition”). The IRC’s initial motion to intervene and comments was submitted to the Federal Energy Regulatory Commission (“FERC” or the “Commission”) on October 21, 2011 (the “Initial Comments”).

I. INTRODUCTION

Two elements of the Petition were addressed in the Initial Comments. As relevant here, the IRC commented on the Petition’s references to the conduct of a risk assessment for Registered Entities. Specifically, the IRC urged the Commission to remand the entity risk assessment to NERC for additional work with the stakeholders, and that the Commission direct NERC to engage in a stakeholder process with instructions to add reasonably detailed objective criteria and transparency to the assessment’s components and processes. Further, the Initial Comments requested the Commission to require the addition of an opportunity for Registered Entities to challenge their assigned risk levels.

¹ The IESO is not subject to the Commission’s jurisdiction, and these supplemental comments do not constitute agreement or acknowledgement that it can be subject to the Commission’s jurisdiction. The AESO and NBSO are also non-jurisdictional members of the IRC, but are not joining in these supplemental comments.

II. SUPPLEMENTAL COMMENTS

Since the filing of the Initial Comments, NERC representatives have been in communication with IRC contacts and has filed an Answer in this proceeding to clarify that the registered entity assessment description was provided in the Petition for informational purposes only, and is not within the scope of the matters for which NERC requested approval in the Petition. Nonetheless, in the Answer, NERC is also committing to provide opportunity for stakeholder input on the components of the risk assessment discussed on page 36 of the Petition, and on the refinement of criteria used to evaluate these components. In addition, NERC intends on developing an entity risk assessment template, which is a risk profile tool that was referenced in the Petition for informational purposes only. The Answer states that NERC is similarly committed to seeking further stakeholder input on this template, and that NERC will develop a deliberate and methodical plan to involve stakeholders in developing a risk assessment template and criteria and present the plan at the February 2012 BOTCC Open meeting in Phoenix. NERC will solicit initial input from the NERC Compliance and Certification Committee.

Based on NERC's commitment to voluntarily undertake stakeholder processes to address the IRC's concerns, the IRC believes that that it is appropriate to withdraw its request for the Commission to direct through an order the return of the entity risk assessment to a NERC stakeholder process. In concert with that withdrawal, the Commission should also release the *ex parte* communication restrictions that are currently in place with respect to the Petition, in order to facilitate NERC, FERC and industry discussions.

Respectfully submitted,

/s/ Craig Glazer

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Date: November 14, 2011

CERTIFICATE OF SERVICE

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

Dated at Washington, D.C. this 14th day of November, 2011.

/s/ Pamela S. Higgins

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