



Western Interconnection Regional Advisory Body

January 10, 2007

Alberta
Arizona
British Columbia
California
Colorado
Montana
Idaho
Nevada
New Mexico
Oregon
South Dakota
Utah
Washington
Wyoming

John Savage
Chair

The Honorable Joseph T. Kelliher, Chairman
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Via Facsimile

Dear Chairman Kelliher:

The Western Interconnection Regional Advisory Body (WIRAB) submits the attached advice (Advice) to the Federal Energy Regulatory Commission regarding the proposed Delegation Agreement between the North American Electric Reliability Corporation (NERC) and the Western Electricity Coordinating Council (WECC) under Docket No. RR07-7-000, and related confidentiality issues in NERC's proposed Rules of Procedure under Docket No. RR06-1-004.

The WIRAB Advice was unanimously approved by the 14 representatives of the Governors and Premiers of Alberta, Arizona, British Columbia, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington and Wyoming. In developing the Advice, WIRAB applied the requirement of Section 215(j) that governance of the proposed regional entity must be just, reasonable, not unduly discriminatory or preferential, and in the public interest.

In brief, WIRAB makes two recommendations. First, the Commission should approve the proposed WECC-NERC delegation agreement, subject to revisions proposed on confidentiality of information. Second, the Commission should require NERC to modify the proposed confidentiality rules in Section 1500 of the NERC Rules of Procedure or, in the alternative, delete Section 14 from the proposed WECC-NERC delegation agreement. Moreover, the Commission should adopt a guiding principle that information used in the implementation of Section 215 will be in the public domain.

WIRAB believes that NERC's Rules of Procedure on confidentiality, which are referenced in Section 14 of the proposed delegation agreement, run

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counter to the Commission's instructions in Order 672 and the Certification Order, and other FERC policy initiatives. Additionally, we believe that the proposed confidentiality provisions will deny states and provinces valuable information upon which they can make informed decisions on investments to ensure the reliability and adequacy of the bulk power system.

Finally, FERC stated in the ERO Certification Order (P. 318) that NERC rules should allow FERC participation on audit teams that perform compliance audits. Like FERC and others, regional advisory bodies need to understand key elements of the enforcement process. We welcome the opportunity to observe representative audits in the Western Interconnection for the purpose of better understanding the processes of monitoring and enforcing reliability standards.

WIRAB would be pleased to discuss our views on this topic and related matters in the future.

Sincerely,

A handwritten signature in black ink that reads "John F. Savage". The signature is written in a cursive, flowing style.

John Savage, Chairman
Western Interconnection Regional Advisory Body

Attachment:

WIRAB Advice

Cc: The Honorable Suedeen Kelly
The Honorable Phillip Moeller
The Honorable Marc Spitzer
The Honorable Jon Wellinghoff
John Moot, General Counsel
Joe McClelland, Director, Division of Reliability
Richard P. Sergel, NERC
Louise McCarren, WECC