

Subj: **MOU**
Date: 10/23/02 5:06:47 PM Central Daylight Time
From: Michael Desselle

EI comments on the MOU. Please post these also.

Regards,

Michael Desselle

----- Forwarded by Michael D Desselle/AEPIN on 10/23/2002 05:05 PM -----

Michael,

I've reviewed 10/15/02 draft MOU several times; I'm just now forming some impressions.

First, the language suggests to me that JIC would review/approve all proposed standards. I would like to see language that says that " ... to the extent that the Commission directly assigns standards development to NAESB, any such standards will not be subject to review by JIC ... " In other words, I would like to make sure that the Commission can use the JIC as a mediation tool for a smaller set of issues.

Second, I wonder whether the entire body of NERC planning standards will move through the SAR process. Glenn Ross would be a technical expert here, I think.

Third, on the role of the JIC, language on pp. 3-4 suggest varying degrees of activity. At bottom of p. 3. line 69, " ... JIC will recommend ...," then at p. 4, line 73, " ... JIC will evaluate ...," then at p. 4 line 78 " ... JIC may prioritize ... " then at p. 4 line 81 " ... JIC has assigned "

Since JIC will act as a "review agent" for standards that the NERC SAR process and NAESB EC process has already debated and decided, I wonder whether the appropriate verb for the JIC process is just that ? JIC will serve as a "final review agent" for standards that have already been reviewed and approved via the respective processes.

So, if we can believe that both the NERC and NAESB processes will be open and transparent, this "final review agent" process should serve as a filtering device for a serious error. In my view, the vote should then be more than a simple majority, it should be supermajority.

So, I would suggest at the start of section 2 the inclusion of language that indicates that the JIC would serve as a "review authority" to "confirm" proposed standards that have already cleared initial reviews by the respective organizations.

Fourth, I would like to see an entity that could review a proposed standard from NERC or NAESB and return a recommendation that, for example, would say, " ... this proposed business practice affects the following NERC standards; xyz, abc, 123.

Does this make sense? Do you agree?