

# Rules and Regulations

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## FARM CREDIT ADMINISTRATION

### 12 CFR Part 620

#### Disclosure to Shareholders

##### CFR Correction

In Title 12 of the Code of Federal Regulations, Parts 600 to 899, revised as of January 1, 2013, on page 253, in § 620.5, paragraphs (i), (j) and (k) are removed and paragraphs (l), (m) and (n) are redesignated as (i), (j) and (k).

[FR Doc. 2013-23370 Filed 9-23-13; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 40

[Docket No. RM12-16-000; Order No. 785]

#### Generator Requirements at the Transmission Interface

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to section 215 of the Federal Power Act, the Federal Energy Regulatory Commission (Commission) approves modifications to four existing Reliability Standards submitted by the North American Electric Reliability Corporation (NERC), the Commission certified Electric Reliability Organization. Specifically, the Commission approves Reliability Standards FAC-001-1 (Facility Connection Requirements), FAC-003-3 (Transmission Vegetation Management), PRC-004-2.1a (Analysis and Mitigation of Transmission and Generation Protection System Misoperations), and PRC-005-1.1b (Transmission and Generation Protection System Maintenance and Testing). The

modifications improve reliability either by extending applicability of the Reliability Standard to certain generator interconnection facilities, or by clarifying that the existing Reliability Standard is and remains applicable to generator interconnection facilities. The Commission also approves the related Violation Risk Factors and Violation Severity Levels, as well as the implementation plan and effective dates proposed by NERC.

**DATES:** *Effective Date:* This rule will become effective November 25, 2013.

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:**

144 FERC ¶ 61,221

Order No. 785

*Final Rule*

Issued September 19, 2013

1. Pursuant to section 215 of the Federal Power Act (FPA),<sup>1</sup> the Commission hereby approves modifications to four existing Reliability Standards submitted by the North American Electric Reliability Corporation (NERC), the Commission certified Electric Reliability Organization. Specifically, the Commission approves Reliability Standards FAC-001-1 (Facility Connection Requirements), FAC-003-3 (Transmission Vegetation Management), PRC-004-2.1a (Analysis and Mitigation of Transmission and Generation Protection System Misoperations), and PRC-005-1.1b (Transmission and Generation Protection System Maintenance and Testing). The modifications to these standards improve reliability either by extending their applicability to certain generator interconnection facilities, or by clarifying that the existing Reliability Standard is and remains applicable to

generator interconnection facilities. The Commission also approves the related Violation Risk Factors and Violation Severity Levels, as well as the implementation plan and effective dates proposed by NERC.

#### I. Background

##### A. Regulatory Background—Section 215 of the FPA

Section 215 of the FPA requires a Commission-certified Electric Reliability Organization (ERO) to develop mandatory and enforceable Reliability Standards, which are subject to Commission review and approval.<sup>2</sup> Once approved, the Reliability Standards may be enforced either by the ERO (subject to Commission oversight), or by the Commission independently.<sup>3</sup>

In 2006, the Commission established a process to select and certify an ERO<sup>4</sup> and, subsequently, certified NERC as the ERO.<sup>5</sup> In 2007, in Order No. 693, the Commission approved 83 Reliability Standards submitted by NERC, including initial versions of Reliability Standards FAC-001, FAC-003, PRC-004, and PRC-005.<sup>6</sup> Further, in Order No. 693, the Commission approved NERC's compliance registry process, including NERC's Statement of Compliance Registry Criteria (Registry Criteria), which describes how NERC and the Regional Entities<sup>7</sup> will identify the entities that should be registered for compliance with mandatory Reliability Standards.<sup>8</sup> While that process allows a Regional Entity to register an entity over its objection, NERC's Rules of Procedure provide a mechanism for NERC review

<sup>2</sup> *Id.* 824o(c) and (d).

<sup>3</sup> *See id.* 824o(e).

<sup>4</sup> *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval and Enforcement of Electric Reliability Standards*, Order No. 672, FERC Stats. & Regs. ¶ 31,204, *order on reh'g*, Order No. 672-A, FERC Stats. & Regs. ¶ 31,212 (2006).

<sup>5</sup> *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062, *order on reh'g and compliance*, 117 FERC ¶ 61,126 (2006), *aff'd sub nom. Alcoa, Inc. v. FERC*, 564 F.3d 1342 (D.C. Cir. 2009).

<sup>6</sup> *Mandatory Reliability Standards for the Bulk-Power System*, Order No. 693, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *order on reh'g*, Order No. 693-A, 120 FERC ¶ 61,053 (2007).

<sup>7</sup> NERC is authorized to delegate certain authority to regional entities as prescribed by FPA section 215(e)(4). *See* 16 U.S.C. 824o(e)(4).

<sup>8</sup> Order No. 693, FERC Stats. & Regs. ¶ 31,242 at PP 92-95. The Commission has approved subsequent amendments to the Registry Criteria. *See, e.g., North American Electric Reliability Corp.*, 122 FERC ¶ 61,101 (2008).

<sup>1</sup> 16 U.S.C. 824o (2006).