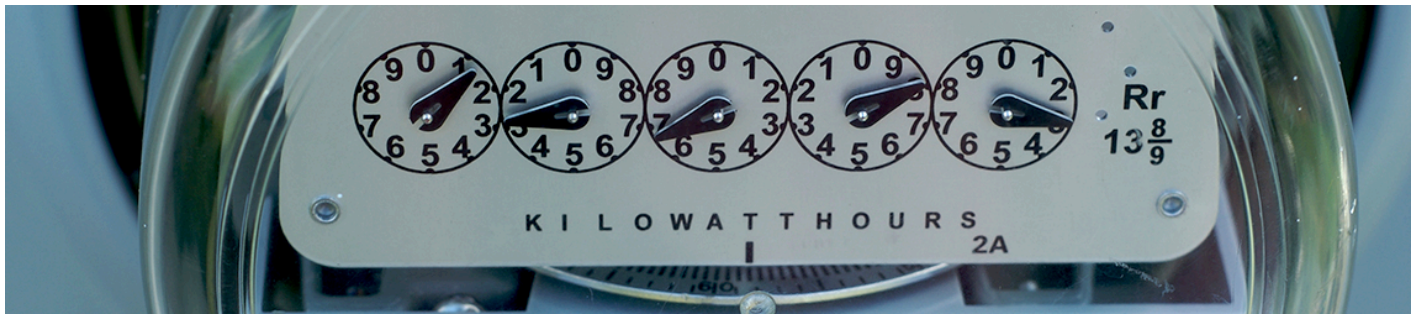


Reliability



The blackout of August 2003 provided powerful evidence that North America's electric grid was susceptible to failure, prompting the Federal government to include in the Energy Policy Act of 2005 provisions creating an Electric Reliability Organization (ERO), subject to Federal Energy Regulatory Commission (FERC) oversight, and empowered to develop and enforce mandatory reliability standards. Electric utilities that need guidance through the growing complexities of this unique statutory and regulatory scheme turn to the lawyers of Spiegel & McDiarmid LLP, who have been involved in this area since its inception.

Municipal utilities, co-ops and others come to us for assistance in understanding their responsibilities regarding compliance with reliability standards and navigating the North American Electric Reliability Corporation (NERC) enforcement process that we have participated in developing. We represent the Transmission Access Policy Study Group (TAPS), an association of transmission dependent utilities in more than thirty states, in all major FERC rulemakings and associated appeals relating to the approval of NERC as the ERO, NERC's procedural rules, and its reliability and cybersecurity standards. On behalf of TAPS, we actively engage in the NERC standard development process. We also follow and are involved in the multiple legislative initiatives that address the threat of cyber-attacks on our electricity infrastructure, a topic that is likely to become more complicated and challenging in the years to come.

As a result, we are well-equipped to help clients demonstrate compliance with NERC standards, address challenges associated with NERC registration and certification, and maneuver through NERC and regional reliability entity enforcement and settlement processes.

The lawyers of Spiegel & McDiarmid are well-known and highly respected within FERC, NERC and the regional reliability entities. Our involvement from the earliest stages of drafting the consensus reliability title ultimately enacted in the 2005 Energy Policy Act, and our experience and expertise, give us unparalleled insight into this area. The trust and credibility we have earned in this process are put to use daily in our client representations.

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