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

**NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION**

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Docket No. RD11-3-___

**COMPLIANCE FILING OF THE
NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION
IN RESPONSE TO NOVEMBER 17, 2011 ORDER APPROVING RELIABILITY
STANDARD FAC-013-2 – ASSESSMENT OF TRANSFER CAPABILITY FOR THE
NEAR-TERM TRANSMISSION PLANNING HORIZON**

Gerald W. Cauley
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January 17, 2012

On November 17, 2011, FERC issued an order approving Reliability Standard FAC-013-2 and directing NERC to file a revision to two VRFs and one VSL for Reliability Standard FAC-013-2 (“November 17 Order”).⁴ The instant compliance filing reflects this directive.

I. NOTICES AND COMMUNICATIONS

Notices and communications with respect to this filing may be addressed to the following:⁵

Gerald W. Cauley
President and Chief Executive Officer
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II. REVISIONS TO VIOLATION SEVERITY LEVEL FOR REQUIREMENT R1 AND VIOLATION RISK FACTORS REQUIREMENTS FOR R1 AND R4

In the November 17 Order, FERC directed NERC to (1) modify the VSL language for R1; (2) either (a) revise the VRFs for FAC-013-2 Requirement R1 from a “Lower” designation to a “Medium” designation, or (b) provide additional justification for a “Lower” VRF designation; and (3) submit a compliance filing within 60 days reflecting such revision.⁶

⁴ *Order Approving Reliability Standard*, 137 FERC ¶ 61,123 (2011)(“November 17 Order”).

⁵ Persons to be included on FERC’s service list are indicated with an asterisk. NERC requests waiver of 18 C.F.R. § 385.203(b) to permit the inclusion of more than two people on the service list.

⁶ November 17 Order at P 27-28.

1. Violation Severity Level for FAC-013-2 Requirement R1

FAC-013-2 Requirement R1 mandates that each Planning Coordinator shall have a documented methodology it uses to perform an annual assessment of Transfer Capability in the Near-Term Transmission Planning Horizon (“Transfer Capability methodology”). The requirement also requires the Transfer Capability methodology include at least a minimum set of information.

In the November 17 Order the Commission stated (at P 27):

27. Finally, we approve the violation severity levels (VSLs) for FAC-013-2 as proposed, with the exception of the VSL triggers for R1, which appear to contain a typographical error. The VSL language for R1, as filed by NERC, uses the same description for “medium,” “high,” and “severe” violations, as follows:

The Planning Coordinator has a Transfer Capability methodology, but failed to incorporate one of [sub-requirements 1.1 through 1.5] of Requirement R1 into that methodology.

It appears that these triggers were intended to be progressive, *i.e.*, the failure to incorporate one component was intended to be a medium level violation, as is currently stated in NERC’s filed version of FAC-013-2, but a high level violation should require a failure to incorporate *two* components, and so on. Accordingly, we will direct NERC to modify the VSL language for Requirement R1 to correct this apparent error.

In compliance with paragraph 27 of the November 17 Order, NERC has modified the VSL language for R1 to clarify that these triggers are progressive, *i.e.*, the failure to incorporate one component of sub-requirements 1.1 through 1.5 is a “Medium” violation, the failure to incorporate two components is a “High” violation and the failure to incorporate three or more components is a “Severe” violation.⁷

2. Violation Risk Factor Requirements for FAC-013-2 Requirements R1 and R4

FAC-013-2, Requirements R4 through R6 ensure an annual assessment of Transfer Capability is performed and that the data and results are communicated to those same entities

⁷ See Attachment B.

that have a reliability related need for those results. Communication and response to comments on the methodology and comments on the annual assessment provide for coordination of planning between the affected entities.⁸ Requirement R4 provides: that “[d]uring each calendar year, each Planning Coordinator shall conduct simulations and document an assessment based on those simulations in accordance with its Transfer Capability methodology for at least one year in the Near-Term Transmission Planning Horizon.

FAC-013-2 Requirement R1 is described above. In the November 17 Order the Commission stated (at P 25-26):

25. Requirement R4 does not appear to be “administrative in nature,” in that it requires the planning coordinator to annually conduct a simulation assessing transfer capability on its system during at least one year in the near-term planning time frame. Requirement R4 requires an affirmative action by the applicable entity, and not merely documentation of the results of the study.
26. We have similar concerns with respect to R1, as it is a substantive requirement to adopt and document a methodology for assessing transfer capability that is consistent with the specific criteria set out in sub-requirements R1.1.2 – 1.5. This requirement goes further than mere documentation, and instead establishes the criteria that must be incorporated into a compliant methodology.

NERC proposes to change the VRF for FAC-013-2 Requirements R1 and R4 from a “Lower” designation to a “Medium” designation in compliance with the November 17 Order.

The revisions included herein for Commission approval were approved by NERC’s Board of Trustees on January 16, 2012.

⁸ See January 28 Petition at p. 14.

III. ATTACHMENTS

ATTACHMENT A	Clean Version of FAC-013-2
ATTACHMENT B	Redlined Version of FAC-013-2

IV. CONCLUSION

The North American Electric Reliability Corporation respectfully requests that the Commission accept this Compliance Filing in accordance with the Commission's directives in the November 17, 2011 Order.

Respectfully submitted,

Gerald W. Cauley
President and Chief Executive Officer
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Suite 600, North Tower
Atlanta, GA 30326-1001

David N. Cook
Senior Vice President and General Counsel
North American Electric Reliability
Corporation
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/s/ Stacey Tyrewala
Holly A. Hawkins
Assistant General Counsel for Standards and
Critical Infrastructure Protection
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon all parties listed on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 17th day of January, 2012.

/s/ Stacey Tyrewala
Stacey Tyrewala
*Attorney for North American Electric
Reliability Corporation*

ATTACHMENT A

Clean Version of FAC-013-2

A. Introduction

1. **Title:** Assessment of Transfer Capability for the Near-Term Transmission Planning Horizon
2. **Number:** FAC-013-2
3. **Purpose:** To ensure that Planning Coordinators have a methodology for, and perform an annual assessment to identify potential future Transmission System weaknesses and limiting Facilities that could impact the Bulk Electric System's (BES) ability to reliably transfer energy in the Near-Term Transmission Planning Horizon.
4. **Applicability:**
 - 4.1. **Planning Coordinators**
5. **Effective Date:**

In those jurisdictions where regulatory approval is required, the latter of either the first day of the first calendar quarter twelve months after applicable regulatory approval or the first day of the first calendar quarter six months after MOD-001-1, MOD-028-1, MOD-029-1, and MOD-030-2 are effective.

In those jurisdictions where no regulatory approval is required, the latter of either the first day of the first calendar quarter twelve months after Board of Trustees adoption or the first day of the first calendar quarter six months after MOD-001-1, MOD-028-1, MOD-029-1 and MOD-030-2 are effective.

B. Requirements

- R1. Each Planning Coordinator shall have a documented methodology it uses to perform an annual assessment of Transfer Capability in the Near-Term Transmission Planning Horizon (Transfer Capability methodology). The Transfer Capability methodology shall include, at a minimum, the following information: [*Violation Risk Factor: Medium*] [*Time Horizon: Long-term Planning*]
 - 1.1. Criteria for the selection of the transfers to be assessed.
 - 1.2. A statement that the assessment shall respect known System Operating Limits (SOLs).
 - 1.3. A statement that the assumptions and criteria used to perform the assessment are consistent with the Planning Coordinator's planning practices.
 - 1.4. A description of how each of the following assumptions and criteria used in performing the assessment are addressed:
 - 1.4.1. Generation dispatch, including but not limited to long term planned outages, additions and retirements.
 - 1.4.2. Transmission system topology, including but not limited to long term planned Transmission outages, additions, and retirements.
 - 1.4.3. System demand.
 - 1.4.4. Current approved and projected Transmission uses.

C. Measures

- M1.** Each Planning Coordinator shall have a Transfer Capability methodology that includes the information specified in Requirement R1.
- M2.** Each Planning Coordinator shall have evidence such as dated e-mail or dated transmittal letters that it provided the new or revised Transfer Capability methodology in accordance with Requirement R2
- M3.** Each Planning Coordinator shall have evidence, such as dated e-mail or dated transmittal letters, that the Planning Coordinator provided a written response to that commenter in accordance with Requirement R3.
- M4.** Each Planning Coordinator shall have evidence such as dated assessment results, that it conducted and documented a Transfer Capability assessment in accordance with Requirement R4.
- M5.** Each Planning Coordinator shall have evidence, such as dated copies of e-mails or transmittal letters, that it made its documented Transfer Capability assessment available to the entities in accordance with Requirement R5.
- M6.** Each Planning Coordinator shall have evidence, such as dated copies of e-mails or transmittal letters, that it made its documented Transfer Capability assessment data available in accordance with Requirement R6.

D. Compliance

1. Compliance Monitoring Process

1.1. Compliance Enforcement Authority

Regional Entity

1.2. Data Retention

The Planning Coordinator shall keep data or evidence to show compliance as identified below unless directed by its Compliance Enforcement Authority to retain specific evidence for a longer period of time as part of an investigation:

- The Planning Coordinator shall have its current Transfer Capability methodology and any prior versions of the Transfer Capability methodology that were in force since the last compliance audit to show compliance with Requirement R1.
- The Planning Coordinator shall retain evidence since its last compliance audit to show compliance with Requirement R2.
- The Planning Coordinator shall retain evidence to show compliance with Requirements R3, R4, R5 and R6 for the most recent assessment.
- If a Planning Coordinator is found non-compliant, it shall keep information related to the non-compliance until found compliant or for the time periods specified above, whichever is longer.

The Compliance Enforcement Authority shall keep the last audit records and all requested and submitted subsequent audit records.

1.3. Compliance Monitoring and Assessment Processes

Compliance Audits

Self-Certifications

Spot Checking

Compliance Violation Investigations

Self-Reporting

Complaints

1.4. Additional Compliance Information

None

2. Violation Severity Levels

R #	Lower VSL	Moderate VSL	High VSL	Severe VSL
R1	<p>The Planning Coordinator has a Transfer Capability methodology but failed to address one or two of the items listed in Requirement R1, Part 1.4.</p>	<p>The Planning Coordinator has a Transfer Capability methodology, but failed to incorporate one of the following Parts of Requirement R1 into that methodology:</p> <ul style="list-style-type: none"> • Part 1.1 • Part 1.2 • Part 1.3 • Part 1.5 <p>OR</p> <p>The Planning Coordinator has a Transfer Capability methodology but failed to address three of the items listed in Requirement R1, Part 1.4.</p>	<p>The Planning Coordinator has a Transfer Capability methodology, but failed to incorporate two of the following Parts of Requirement R1 into that methodology:</p> <ul style="list-style-type: none"> • Part 1.1 • Part 1.2 • Part 1.3 • Part 1.5 <p>OR</p> <p>The Planning Coordinator has a Transfer Capability methodology but failed to address four of the items listed in Requirement R1, Part 1.4.</p>	<p>The Planning Coordinator did not have a Transfer Capability methodology.</p> <p>OR</p> <p>The Planning Coordinator has a Transfer Capability methodology, but failed to incorporate three or more of the following Parts of Requirement R1 into that methodology:</p> <ul style="list-style-type: none"> • Part 1.1 • Part 1.2 • Part 1.3 • Part 1.5 <p>OR</p> <p>The Planning Coordinator has a Transfer Capability methodology but failed to address more than four of the items listed in Requirement R1, Part 1.4.</p>

<p>R2</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology after its implementation, but not more than 30 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the transfer Capability methodology more than 30 calendar days but not more than 60 calendar days after the receipt of a request.</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 30 calendar days after its implementation, but not more than 60 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 60 calendar days but not more than 90 calendar days after receipt of a request</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 60 calendar days, but not more than 90 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 90 calendar days but not more than 120 calendar days after receipt of a request.</p>	<p>The Planning Coordinator failed to notify one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 90 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 120 calendar days after receipt of a request.</p>
<p>R3</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 45 calendar days, but not more than 60 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 60 calendar days, but not more than 75 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 75 calendar days, but not more than 90 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator failed to provide a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 by more than 90 calendar days after receipt of the concern.</p> <p>OR</p> <p>The Planning Coordinator failed to respond to a documented concern with its Transfer Capability methodology.</p>

R4.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, but not by more than 30 calendar days.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, by more than 30 calendar days, but not by more than 60 calendar days.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, by more than 60 calendar days, but not by more than 90 calendar days.	The Planning Coordinator failed to conduct a Transfer Capability assessment outside the calendar year by more than 90 calendar days. OR The Planning Coordinator failed to conduct a Transfer Capability assessment.
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<p>R5</p>	<p>The Planning Coordinator made its documented Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 45 calendar days after the requirements of R5,, but not more than 60 calendar days after completion of the assessment.</p>	<p>The Planning Coordinator made its Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 60 calendar days after the requirements of R5, but not more than 75 calendar days after completion of the assessment.</p>	<p>The Planning Coordinator made its Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 75 calendar days after the requirements of R5, but not more than 90 days after completion of the assessment.</p>	<p>The Planning Coordinator failed to make its documented Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 90 days after the requirements of R5. OR The Planning Coordinator failed to make its documented Transfer Capability assessment available to any of the recipients of its Transfer Capability methodology under the requirements of R5.</p>
<p>R6</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 45 calendar days after receipt of the request for data, but not more than 60 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 60 calendar days after receipt of the request for data, but not more than 75 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 75 calendar days after receipt of the request for data, but not more than 90 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 90 after the receipt of the request for data. OR The Planning Coordinator failed to provide the requested data as required in Requirement R6.</p>

E. Regional Variances

None.

F. Associated Documents

Version History

Version	Date	Action	Change Tracking
1	08/01/05	<ol style="list-style-type: none">1. Changed incorrect use of certain hyphens (-) to “en dash (–).”2. Lower cased the word “draft” and “drafting team” where appropriate.3. Changed Anticipated Action #5, page 1, from “30-day” to “Thirty-day.”4. Added or removed “periods.”	01/20/05
2	01/24/11	Approved by BOT	
2	11/17/11	FERC Order issued approving FAC-013-2	

ATTACHMENT B

Redlined Version of FAC-013-2

A. Introduction

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<p>R2</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology after its implementation, but not more than 30 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the transfer Capability methodology more than 30 calendar days but not more than 60 calendar days after the receipt of a request.</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 30 calendar days after its implementation, but not more than 60 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 60 calendar days but not more than 90 calendar days after receipt of a request</p>	<p>The Planning Coordinator notified one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 60 calendar days, but not more than 90 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 90 calendar days but not more than 120 calendar days after receipt of a request.</p>	<p>The Planning Coordinator failed to notify one or more of the parties specified in Requirement R2 of a new or revised Transfer Capability methodology more than 90 calendar days after its implementation.</p> <p>OR</p> <p>The Planning Coordinator provided the Transfer Capability methodology more than 120 calendar days after receipt of a request.</p>
<p>R3</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 45 calendar days, but not more than 60 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 60 calendar days, but not more than 75 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator provided a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 more than 75 calendar days, but not more than 90 calendar days after receipt of the concern.</p>	<p>The Planning Coordinator failed to provide a documented response to a documented concern with its Transfer Capability methodology as required in Requirement R3 by more than 90 calendar days after receipt of the concern.</p> <p>OR</p> <p>The Planning Coordinator failed to respond to a documented concern with its Transfer Capability methodology.</p>

R4.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, but not by more than 30 calendar days.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, by more than 30 calendar days, but not by more than 60 calendar days.	The Planning Coordinator conducted a Transfer Capability assessment outside the calendar year, by more than 60 calendar days, but not by more than 90 calendar days.	The Planning Coordinator failed to conduct a Transfer Capability assessment outside the calendar year by more than 90 calendar days. OR The Planning Coordinator failed to conduct a Transfer Capability assessment.
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<p>R5</p>	<p>The Planning Coordinator made its documented Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 45 calendar days after the requirements of R5,, but not more than 60 calendar days after completion of the assessment.</p>	<p>The Planning Coordinator made its Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 60 calendar days after the requirements of R5, but not more than 75 calendar days after completion of the assessment.</p>	<p>The Planning Coordinator made its Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 75 calendar days after the requirements of R5, but not more than 90 days after completion of the assessment.</p>	<p>The Planning Coordinator failed to make its documented Transfer Capability assessment available to one or more of the recipients of its Transfer Capability methodology more than 90 days after the requirements of R5. OR The Planning Coordinator failed to make its documented Transfer Capability assessment available to any of the recipients of its Transfer Capability methodology under the requirements of R5.</p>
<p>R6</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 45 calendar days after receipt of the request for data, but not more than 60 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 60 calendar days after receipt of the request for data, but not more than 75 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 75 calendar days after receipt of the request for data, but not more than 90 calendar days after the receipt of the request for data.</p>	<p>The Planning Coordinator provided the requested data as required in Requirement R6 more than 90 after the receipt of the request for data. OR The Planning Coordinator failed to provide the requested data as required in Requirement R6.</p>

E. Regional Variances

None.

F. Associated Documents

Version History

Version	Date	Action	Change Tracking
1	08/01/05	<ol style="list-style-type: none">1. Changed incorrect use of certain hyphens (-) to “en dash (-).”2. Lower cased the word “draft” and “drafting team” where appropriate.3. Changed Anticipated Action #5, page 1, from “30-day” to “Thirty-day.”4. Added or removed “periods.”	01/20/05
2	01/24/11	Approved by BOT	
2	11/17/11	FERC Order issued approving FAC-013-2	