

130 FERC ¶ 62,022
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

In Reply Refer To:
Office of Enforcement
Docket No. NP10-18-000
January 11, 2010

Rebecca J. Michael
Assistant General Counsel
Holly A. Hawkins
Attorney
North American Electric Reliability
Corporation
1120 G Street, N.W.
Suite 990
Washington, D.C. 20005-3801

Constance White
Vice President of Compliance
Western Electricity Coordinating Council
615 Arapeen Drive, Suite 210
Salt Lake City, UT 84108-1262

Dear Ms. Michael, Ms. Hawkins and Ms. White:

1. On November 13, 2009, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty in Docket No. NP10-18-000, regarding an \$80,000 penalty that Western Electricity Coordinating Council (WECC) assessed to Turlock Irrigation District (Turlock). In the absence of Commission action within thirty (30) days, the penalty would have been affirmed by operation of law.¹
2. On December 11, 2009, the Commission issued a notice, pursuant to 18 C.F.R. §39.7(e)(1) (2009), that it was extending until January 11, 2010 the time period for consideration whether to review on its own motion this Notice of Penalty. The Commission stated that if it took no further action in this matter by that date, the penalty would be deemed affirmed by operation of law.²

¹ 18 C.F.R. § 39.7(e) (1) (2009).

² 129 FERC ¶ 61,218 (2009).

3. Pursuant to authority delegated to me in sections 375.311(u) and (v) of the Commission's regulations,³ I am further extending the time period for the Commission's consideration of this Notice of Penalty for the purpose of directing NERC and WECC to provide information they may possess that may bear on this consideration.

4. Therefore, in order to afford additional time for consideration of this Notice of Penalty, as provided for in 18 C.F.R. § 39.7(e)(1), an extended time period until February 26, 2010 is hereby ordered for the limited purpose of further consideration of the Notice of Penalty. If no further action is taken by the Commission by that date, the penalty will be deemed affirmed by operation of law. To facilitate this consideration, I direct NERC and WECC to file responses to the enclosed requests for data and documents within 15 days from the date of this letter order. As appropriate, NERC and WECC may seek non-public treatment of information in the responses pursuant to sections 388.112 or 388.113 of the Commission's regulations, 18 C.F.R. §§ 388.112, 388.113 (2009).

5. If you have any questions, please contact Roger Morie at (202) 502-8446.

Sincerely,

Norman C. Bay
Director
Office of Enforcement

Enclosure

³ *Delegations for Notices of Penalty*, Order No. 724, FERC Stats. & Regs. ¶ 31,298 (2009).

Enclosure

Data and Document Request to: NERC and WECC

To the extent that responsive information or documents are in your files, please answer the following requests relating to the Notice of Penalty regarding Turlock Irrigation District (Turlock), FERC Docket No. NP10-18-000:

1. With respect to the loss of load experienced by Turlock and Modesto Irrigation District (Modesto) on August 29, 2007:
 - a. Identify the service (geographical) area affected by the load shedding (i.e., city, county, etc.). Provide a copy of a geographical map showing the affected areas.
 - b. State the total megawatt hours (MWh) of load lost, including MWs and duration. Break down the total MWh of load lost by areas (e.g., by county, and within the Turlock and Modesto service areas, etc.).
 - c. State the total number of customer accounts lost. Break down the total accounts lost by class of customers (i.e., residential, commercial, industrial, agricultural, etc.).
 - d. State or estimate, explaining the basis for the estimate, the total number of individual persons affected by the load shedding (which can be different from the total number of accounts).
 - e. Provide a breakdown of the restoration of lost load, including:
 1. the number (or percentage) of MWs restored per hour. Break down the restored MWs per hour by areas.
 2. The number (or percentage) of customer accounts restored per hour. Break down the restored customer accounts by class of customers.
 - f. Of the customer accounts affected by the load shedding, state the number of accounts that utilized back-up generation during the load shedding. Break down the total number by customer class.
 - g. Provide the average retail revenue (price) per MWh for each affected customer class for the month of August 2007.
2. Provide each notification or report pursuant to Reliability Standard EOP-004-1, on Form OE-417, or in any other document or communication relating to the loss of load experienced by Turlock or Modesto on August 29, 2007, Turlock's or Modesto's restoration of lost load, any assistance rendered to Turlock or Modesto

- by other entities, or any system conditions in the Turlock or Modesto service areas or within the California Independent System Operator footprint relating to the August 29, 2007 outage.
3. Provide a geographical map of Modesto and Turlock showing the facilities subject to the August 29, 2007 vegetation-related outage and any photographs or other records relating to the outage.
 4. Provide a one-line diagram of the Westley-Walnut and Westley-Parker 230 kV transmission lines subject to the August 29, 2007 outage and related facilities.
 5. Provide information and documents received during WECC's review of the August 27, 2007 outage.
 6. Provide documentation regarding Turlock's Transmission Vegetation Management Plan and its implementation from (a) before August 29, 2007 and (b) after August 29, 2007, including any records relating to vegetation trimming after August 29, 2007.
 7. Provide documentation regarding Turlock's internal investigation of the August 29, 2007 outage and the disciplinary action that resulted from the investigation.
 8. Provide documentation Turlock provided to WECC to demonstrate completion of Mitigation Plan MT-07-1699 relating to Reliability Standard FAC-003-1.
 9. Provide documentation concerning Turlock's Internal Compliance Program.
 10. Provide information relating to Turlock's ability to pay the \$80,000 penalty or if or how it could recover a penalty amount from its customers.
 11. Provide information including a detailed explanation of the tripping scheme that caused the Westley-Parker 230 kV line to trip out of service in response to the tree touch. Please include the substation configuration at Westley and Parker.
 12. Provide information related to the transfer of load to the 115 kV system and Turlock's and Modesto's Energy Management Systems automatic firm load shed, including an explanation as to whether this incident was considered by WECC or NERC to be an N-2 contingency. If so, please explain in detail what made this a N-2 contingency, including defining both contingencies. If not, provide all record information concerning NERC and/or WECC's consideration of the applicability of Reliability Standard TPL-002.

13. Provide information relating to any other BES transmission lines lost due to this incident, including information on any special protection systems or remedial action schemes that activated and the specific contingency that caused their activation.

Document Content(s)

NP10-18-000.DOC.....1-5