



NORTH AMERICAN ELECTRIC  
RELIABILITY CORPORATION

November 13, 2009

Ms. Kimberly Bose  
Secretary  
Federal Energy Regulatory Commission  
888 *First* Street, N.E.  
Washington, D.C. 20426

**Re: NERC Notice of Penalty regarding Cedar Bay Generating Company, FERC Docket  
No. NP10-\_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Notice of Penalty<sup>1</sup> regarding Cedar Bay Generating Company, LP (CBG), NERC Compliance Registry ID NCR00009,<sup>2</sup> in accordance with the Federal Energy Regulatory Commission's (Commission or FERC) rules, regulations and orders, as well as NERC Rules of Procedure including Appendix 4C (NERC Compliance Monitoring and Enforcement Program (CMEP)).<sup>3</sup>

On July 10, 2007,<sup>4</sup> CBG self-reported a violation of IRO-004-1 Requirement (R) 4 due to its failure on July 8, 2007 to submit a forecast for Load generation to its Reliability Coordinator by 1200 Central Standard Time for the Eastern Interconnection. This Notice of Penalty is being filed with the Commission because, based on information from FRCC, CBG does not dispute the violation of IRO-004-01 R4 and the proposed zero dollar (\$0) financial penalty. Accordingly, the violation identified as NERC Violation Tracking Identification Number FRCC200700002 is a Confirmed Violation as that term is defined in the NERC Rules of Procedure and the CMEP.

### **Statement of Findings Underlying the Violation**

This Notice of Penalty incorporates the findings and justifications set forth in the Notice of Confirmed Violation and Proposed Penalty or Sanction (NOCV) issued on June 2, 2008 by FRCC, and the Supplemental Record Information (SRI) notice issued by FRCC to CBG on March 31, 2009. The details of the findings and basis for the penalty are set forth herein. This

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<sup>1</sup> *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards* (Order No. 672), III FERC Stats. & Regs. ¶ 31,204 (2006); *Notice of New Docket Prefix "NP" for Notices of Penalty Filed by the North American Electric Reliability Corporation*, Docket No. RM05-30-000 (February 7, 2008). *See also* 18 C.F.R. Part 39 (2008). *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *reh'g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A).

<sup>2</sup> Florida Reliability Coordinating Council (FRCC) confirmed that Cedar Bay Generating Company, LP was included on the NERC Compliance Registry on May 29, 2007 as a Generator Owner and was subject to the requirements of NERC Reliability Standard IRO-004-1.

<sup>3</sup> *See* 18 C.F.R. § 39.7(c)(2).

<sup>4</sup> The self-report was dated July 9, 2007 and submitted on July 10, 2007.

Notice of Penalty filing contains the basis for approval of this Notice of Penalty by the NERC Board of Trustees Compliance Committee (BOTCC). In accordance with Section 39.7 of the Commission's regulations, 18 C.F.R. § 39.7 (2007), NERC provides the following summary table identifying the Reliability Standard at issue in this Notice of Penalty.

| Region | Registered Entity            | NOC ID  | NERC Violation ID | Reliability Standard | Req. (R) | VRF  | Total (\$)<br>Penalty |
|--------|------------------------------|---------|-------------------|----------------------|----------|------|-----------------------|
| FRCC   | Cedar Bay Generating Company | NOC-066 | FRCC200700002     | IRO-004-1            | 4        | High | \$0                   |

The purpose of Reliability Standard IRO-004-1 is for each Reliability Coordinator to conduct next-day reliability analyses for its Reliability Coordinator Area to ensure the bulk power system (BPS) can be operated reliably in anticipated normal and Contingency conditions. System studies must be conducted to highlight potential interface and other operating limits, including overloaded transmission lines and transformers, voltage and stability limits, *etc.* Plans must be developed to alleviate System Operating Limit (SOL) and Interconnection Reliability Operating Limit (IROL) violations.

IRO-004-1 R4 requires a Generator Owner, such as CBG, in the Reliability Coordinator Area to provide information required for system studies, such as critical facility status, Load, generation, operating reserve projections, and known Interchange Transactions. This information must be available by 1200 Central Standard Time for the Eastern Interconnection and 1200 Pacific Standard Time for the Western Interconnection. IRO-004-1 R4 has a Violation Risk Factor (VRF) of "High."

On July 9, 2007, CBG self-reported that, on July 8, 2007, the Operations Shift Supervisor neglected to submit the forecast for Load generation to CBG's Reliability Coordinator by 1200 Central Time as required. That same day, to remedy the instant violation and to prevent future violations, CBG implemented and submitted its Mitigation Plan, which is described in greater detail below. CGB also submitted the load forecast to the Reliability Coordinator on July 9, 2007.

Section 4.2.2 of the NERC Sanction Guidelines states that:

If the actual or foreseen impact of the violation is judged to be inconsequential by NERC or the regional entity and the violation is the first incidence of violation of the requirement in question by the violator, NERC or the regional entity may at its discretion: (i) set the Base Penalty Amount to a value it deems appropriate within the initial value range set above pursuant to Section 4.1 or (ii) excuse the penalty for the violation (i.e. set the Base Penalty Amount to 0\$).<sup>5</sup>

In assessing a zero dollar (\$0) financial penalty, FRCC took the following factors into consideration: (i) information was not provided by the entity for only one day; (ii) CBG is a relatively small sized (250 MW) Generator Owner; (iii) the Reliability Coordinator could have

<sup>5</sup> See NERC Sanction Guidelines.

reasonably depended on an estimated generation forecast for this facility for a one day period based on past historical performance; (iv) this is the first violation of this standard by CBG; and (v) FRCC determined that this violation did not pose a serious or substantial risk to the reliability of the BPS, because the violation lasted only one day and the Reliability Coordinator could depend on an estimated generation forecast for this facility for the one day period.

### **Status of Mitigation Plans<sup>6</sup>**

CBG's Mitigation Plan to address the referenced violation was submitted to FRCC on July 9, 2007, accepted by FRCC on October 15, 2007 and approved by NERC on December 4, 2007. The Mitigation Plan for the violation listed is designated as MIT-07-0188 and was submitted as non-public information to FERC on December 4, 2007 in accordance with FERC orders.

Specifically, the Mitigation Plan required: (i) the implementation of a daily reminder to submit the required Load generation forecast; (ii) dividing the responsibility of the function between the Control Room Operators and the Operations Shift Supervisor; and (iii) the implementation of a new cross-check process to verify that the information was submitted. The daily reminder consists of an alarm mechanism within the control system computer that is activated at 10:00 a.m. each day in the Control Room. The alarm is not to be acknowledged by the Control Room Operator until he or she has verified with the Shift Supervisor that the Shift Supervisor has submitted the information to both Reliability Coordinators, which are Florida Power & Light (FPL) and Jacksonville Energy Authority (JEA). The Mitigation Plan required the information submission responsibility to be divided between the Control Room Operator(s), who will report the information to FPL, and the Shift Supervisor, who will report the information to JEA. Prior to the Mitigation Plan, the reporting function was the responsibility of one person, the Shift Supervisor. The new process required by the Mitigation Plan requires that both the Control Room Operator and the Shift Supervisor conduct a daily cross check to verify that the other reporting obligation was fulfilled. According to CBG, there has not been a violation since the implementation of the Mitigation Plan.

CBG certified to the FRCC on October 17, 2007 that its Mitigation Plan was completed as of July 9, 2007. FRCC completed its review of CBG's evidence of its Mitigation Plan completion and determined on October 22, 2007 that the Mitigation Plan as submitted met the requirement of IRO-004-1 R4 and mitigates future non-compliance. Specifically, FRCC reviewed the following evidence submitted by CBG in reaching this conclusion a signed letter by the General Manager indicating the processes put in place and implemented to ensure CBG's daily forecasts of next-day available generation are provided to the appropriate parties.

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<sup>6</sup> See 18 C.F.R § 39.7(d)(7).

## Statement Describing the Proposed Penalty, Sanction or Enforcement Action Imposed<sup>7</sup>

### FERC Order Excerpts

In Order No. 693, the Commission provided guidance to NERC and the industry on the determination of penalties during the first six month period of mandatory and enforceable Reliability Standards:

222. . . . In light of commenters' concerns, including the fact that there are new aspects to the Reliability Standards and the proposed compliance program that will apply to all users, owners and operators of the Bulk-Power System, *the Commission directs the ERO and Regional Entities to focus their resources on the most serious violations during an initial period through December 31, 2007.* This thoughtful use of enforcement discretion should apply to all users, owners and operators of the Bulk-Power System, and not just those new to the program as originally proposed in the NOPR. This approach will allow the ERO, Regional Entities and other entities time to ensure that the compliance monitoring and enforcement processes work as intended and that all entities have time to implement new processes.

223. *By directing the ERO and Regional Entities to focus their resources on the most serious violations through the end of 2007, the ERO and Regional Entities will have the discretion necessary to assess penalties for such violations, while also having discretion to calculate a penalty without collecting the penalty if circumstances warrant.* Further, even if the ERO or a Regional Entity declines to assess a monetary penalty during the initial period, they are authorized to require remedial actions where a Reliability Standard has been violated. Furthermore, where the ERO uses its discretion and does not assess a penalty for a Reliability Standard violation, we encourage the ERO to establish a process to inform the user, owner or operator of the Bulk-Power System of the violation and the potential penalty that could have been assessed to such entity and how that penalty was calculated. We leave to the ERO's discretion the parameters of the notification process and the amount of resources to dedicate to this effort. Moreover, the Commission retains its power under section 215(e)(3) of the FPA to bring an enforcement action against a user, owner or operator of the Bulk-Power System.

224. *The Commission believes that the goal should be to ensure that, at the outset, the ERO and Regional Entities can assess a monetary penalty in a situation where, for example, an entity's non-compliance puts Bulk-Power System reliability at risk.* Requiring the ERO and Regional Entities to focus on the most serious violations will allow the industry time to adapt to the new regime while also protecting Bulk-Power System reliability by allowing the ERO or a Regional Entity *to take an enforcement action against an entity whose violation causes a significant disturbance.* Our approach strikes a reasonable balance in ensuring that the ERO and Regional Entities will be able to enforce mandatory Reliability Standards in a timely manner, while still allowing users,

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<sup>7</sup> See 18 C.F.R § 39.7(d)(4).

owners and operators of the Bulk-Power System time to acquaint themselves with the new requirements and enforcement program. In addition, our approach ensures that all users, owners and operators of the Bulk-Power System take seriously mandatory, enforceable reliability standards at the earliest opportunity and before the 2007 summer peak season.<sup>8</sup>

### **Basis for Determination**

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, and the July 3, 2008 Guidance Order,<sup>9</sup> the NERC BOTCC reviewed the NOCV and supporting documentation on July 13-15, 2009. The NERC BOTCC affirmed FRCC's findings and determination to impose a zero dollar (\$0) financial penalty against CBG, based upon the NERC BOTCC's review of the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violations.<sup>10</sup>

In reaching this determination, the NERC BOTCC considered the following factors: (i) there was no serious or substantial risk to the reliability of the BPS because the violation lasted only one day and the Reliability Coordinator could depend on an estimated generation forecast for this facility for the one day period; (ii) this is the first incidence of this violation by CBG; and (iii) procedures were immediately put into place to prevent future violations.

Pursuant to Order No. 693, the penalty will be effective upon expiration of the 30 day period following the filing of this Notice of Penalty with FERC, or, if FERC decides to review the penalty, upon final determination by FERC.

### **Attachments Included as Part of this Notice of Penalty**

The attachments included as part of this Notice of Penalty are the following documents and material:

- a) CBG's Self-Report dated July 9, 2007 and submitted July 10, 2007, included as Attachment a;
- b) CBG's Response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated November 1, 2007, included as Attachment b;
- c) CBG's Mitigation Plan designated as MIT-07-0188 submitted July 9, 2007, included as Attachment c;
- d) CBG's Certification of Completion of the Mitigation Plan dated October 17, 2007, included as Attachment d; and
- e) FRCC's Verification of Completion of the CBG Mitigation Plan dated October 22, 2007, included as Attachment e.

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<sup>8</sup> See Order No. 693 at PP 222-224 (emphasis added).

<sup>9</sup> *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008).

<sup>10</sup> *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693).

## **A Form of Notice Suitable for Publication<sup>11</sup>**

A copy of a notice suitable for publication is included in Attachment f.

## **Notices and Communications**

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

Rick Sergel  
President and Chief Executive Officer  
David N. Cook\*  
Vice President and General Counsel  
North American Electric Reliability Corporation  
116-390 Village Boulevard  
Princeton, NJ 08540-5721  
(609) 452-8060  
(609) 452-9550 – facsimile  
david.cook@nerc.net

Tracy L. Patterson\*  
General Manager  
Cedar Bay Generating Co. LP  
PO Box 26324  
Jacksonville, FL 32218  
(904) 696-1543  
(904) 751-7320 – facsimile  
TracyPatterson@Cogentrix.com

\*Persons to be included on the Commission's service list are indicated with an asterisk. NERC requests waiver of the Commission's rules and regulations to permit the inclusion of more than two people on the service list.

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  
(202) 393-3998  
(202) 393-3955 – facsimile  
rebecca.michael@nerc.net  
holly.hawkins@nerc.net

Sarah Rogers\*  
President and Chief Executive officer  
Florida Reliability Coordinating Council, Inc.  
1408 N. Westshore Blvd., Suite 1002  
Tampa, Florida 33607-4512  
(813) 289-5644  
(813) 289-5646 – facsimile  
srogers@frcc.com

Barry Pagel\*  
Manager of Compliance  
Florida Reliability Coordinating Council, Inc.  
1408 N. Westshore Blvd., Suite 1002  
Tampa, Florida 33607-4512  
(813) 207-7968  
(813) 289-5646 – facsimile  
bpagel@frcc.com

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<sup>11</sup> See 18 C.F.R § 39.7(d)(6).

**Conclusion**

NERC respectfully requests that the Commission accept this Notice of Penalty as compliant with its rules, regulations and orders.

Respectfully submitted,

Rick Sergel  
President and Chief Executive Officer  
David N. Cook  
Vice President and General Counsel  
North American Electric Reliability Corporation  
116-390 Village Boulevard  
Princeton, NJ 08540-5721  
(609) 452-8060  
(609) 452-9550 – facsimile  
david.cook@nerc.net

/s/ Rebecca J. Michael  
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  
(202) 393-3998  
(202) 393-3955 – facsimile  
rebecca.michael@nerc.net  
holly.hawkins@nerc.net

cc: Cedar Bay Generating Company  
Florida Reliability Coordinating Council

Attachments



## **Attachment a**

**CBG's Self-Report, dated July 9, 2007 and  
submitted July 10, 2007**



## FRCC Compliance Self Reporting Form

**Registered Entity** Cedar Bay Generating Co. LP

**Date of Violation:** Month July Day 8 Year 2007

**Time of Violation** 1200

**(As appropriate, based upon the time frame associated with the reliability standard)**

For EACH violation, please provide the following:

1. The Reliability Standard and requirement violated.  
IRO-004-1, R4
2. Violation Severity Level.  
Not specified for generator owner.
3. The specifics of the violation and the reliability impact of the violation to the bulk power system.  
Requirement 4 specifies that each ... Generator Owner ... shall provide information required for system studies, such as ... Load, generation... Such information shall be available by 1200 Central Standard Time for the Eastern Interconnection...  
The forecast for load generation from Cedar Bay on July 9, 2007 was not submitted to the RC by 1200 CST on July 8, 2007.  
No reliability impact to the BES.
4. Company contact persons name, title, and contact number(s).  
Tracy L. Patterson, General Manager, Cedar Bay Generating Co. LP, 904-696-1543
5. Describe any confidentiality issues  
None
6. Actions taken or to be taken (include timetable) to ensure violation is corrected.  
Attach completed Mitigation Plan if appropriate.  
The Operations Shift Supervisor completes the report and submits the report daily. Due to the possibility of plant events distracting him from submitting the report, an additional measure has been implemented such that the Control Room Operators will participate in the reporting process. In addition, an alarm has been created in the plant control system to generate at 10 AM each day to submit the report. The control room operators will be submitting a daily report to FLP and the SS will provide the same report to JEA. Each will cross check with the other to ensure the report was submitted.

Additional Comments:  Comments attached.

Submitted by: Tracy L. Patterson

Title: General Manager, Cedar Bay Generating Co. LP

Please send your completed form to [compliancemanager@frcc.com](mailto:compliancemanager@frcc.com)

**Attachment b**

**CBG's Response to the Notice of Alleged Violation  
and Proposed Penalty or Sanction, dated  
November 1, 2007**



November 1, 2007

Cedar Bay Generating Company, L.P.  
9640 Eastport Road (32218)  
P.O. Box 26324  
Jacksonville, FL 32226  
904-751-4000  
Fax 904-751-7320

Emailed and Sent via Certified Mail

Mr. Barry Pagel  
Manager of Compliance  
FRCC  
1408 N. Westshore Blvd  
Tampa, FL 33607-4512

Subject: Response to Notice of Violation - IRO-004-1 R4  
US Operating Services Co. – Cedar Bay Generating

Dear Mr. Pagel,

The following information is submitted in accordance with the Notice of Violation (NOV), dated October 16, 2007, regarding the self-reported violation of IRO-004-1, R4, by this facility. The NOV, as issued by the FRCC, states that the FRCC has exercised its discretion in this matter and will not assess any penalty or sanctions.

US Operating Services Company, as the operator of the Cedar Bay Generating Facility, agrees with the FRCC decision in this matter and does not contest the Alleged Violation. Further, the Mitigation Plan developed in response to this violation was submitted to the FRCC, has been accepted by the FRCC and has been implemented and certified as complete by the Company.

If you require any additional information, please contact me at (904) 696-1543.

Sincerely,

A handwritten signature in black ink that reads "Tracy L. Patterson" followed by a stylized flourish.

Tracy L. Patterson  
General Manager  
Cedar Bay Generating Co. LP

cc:  
T. Halcomb, L. Peavey, S. Gaynier – Cogentrix  
File – NERC IRO-001-4D

**Attachment c**

**CBG's Mitigation Plan designated as MIT-07-  
0188, submitted July 9, 2007**

## FRCC COMPLIANCE ENFORCEMENT PROGRAM

### MITIGATION PLAN

*Please complete an individual Mitigation Plan for each NERC Reliability Standard that indicates any level(s) of non-compliance.*

Company: Cedar Bay Generating Company, LP

Date noncompliance was discovered or reported: July 9, 2007

Date Mitigation Plan submitted: July 9, 2007

Standard Number: IRO-004-1

Standard Title: Reliability Coordination - Operations Planning

Requirement / Measure Number: R4

Level of Noncompliance:  Level 1  Level 2  Level 3  Level 4

Level not specified

Provide an explanation of the noncompliance:

The facility submits a forecast of load generation for the next calendar day by noon of the preceding day. This is a function of the Operations Shift Supervisor. Due to other events going on at the facility, this reporting function was missed on July 8, 2007 to forecast the generation from the Cedar Bay facility for the July 9 calendar day.

Describe your detailed plan to become compliant.

The daily forecast report is submitted to FPL and to the JEA. An alarm has been created in the plant control system computer that will generate at 10 AM each day in the Control Room. The alarm will not be acknowledged until the report has been transmitted to both entities. The requirement to submit the reports will be split between the Control Room Operators and the Shift Supervisor such that each person will be submitting to one of the entities and a cross-check will be performed to ensure the other reporting obligation has been completed.

Describe your detailed schedule to become compliant. (The Schedule should include regular status updates to FRCC).

Compliant as of today and going forward.

Are additional documents or information attached:  Yes  No

Additional Notes or Comments:

Point of contact for FRCC follow-up:

Name: Tracy L. Patterson  
Title: General Manager, Cedar Bay Generating Co. LP  
Phone: 904-696-1543  
Email: tracypatterson@cogentrix.com

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For FRCC Use Only:

FRCC ID Number: CBG\_2007\_01

NERC ID Number: FRCC200700002

Date Mitigation Plan was received at FRCC: 7-9-07

Date Mitigation Plan was reviewed and approved by FRCC CC: 10-15-07

Date notice of completion of Mitigation Plan was received by FRCC: 10-17-07

Date FRCC CC approved completion and closed item: 10-22-07

## **Attachment d**

### **CBG's Certification of Completion of the Mitigation Plan, dated October 17, 2007**





Cogentrix

October 17, 2007

Cedar Bay Generating Company, L.P.  
9640 Eastport Road (32218)  
P.O. Box 26324  
Jacksonville, FL 32226  
904-751-4000  
Fax 904-751-7320

Emailed and Sent via Certified Mail

Mr. Barry Pagel  
Manager of Compliance  
FRCC  
1408 N. Westshore Blvd  
Tampa, FL 33607-4512

Subject: Self-reported violation IRO-004-1 R4  
Cedar Bay Generating Co. LP – Cedar Bay Generating  
Mitigation Plan Certification

Dear Mr. Pagel,

The following information is submitted in accordance with your letter of October 15, 2007 regarding the self-reported violation of IRO-004-1, R4, for providing daily forecasts of next-day available generation. There was no impact to the bulk power system reliability as a result of this incident or by the implementation of the mitigation plan.

As described in the Mitigation Plan submitted by this facility on July 9, 2007, the measures to correct the situation and prevent recurrence have been successfully implemented by the facility. To ensure the report is submitted each day, the shift supervisor on day-shift duty, completes the form and forwards that form via email and fax to appropriate entities with Jacksonville Electric Authority (TO, TOP, BA) and to FPL (RRC) prior to 1200 PM Eastern Standard Time each day. To ensure this report is submitted, an alarm is automatically generated by the plant's computer control system at 10:00 AM each day. The alarm is generated on the control operator's screens in the control room. The operator then verifies with the shift supervisor that the report has been submitted prior to acknowledging the alarm. Hard copies of the report are forwarded to the plant management for review and filing in the NERC standards file system.

I have personally directed and observed the creation of the alarm, have witnessed the occurrence of the alarm and review the daily reports as submitted by the shift supervisors. As indicated in the initial submission of the Mitigation Plan, this facility is compliant with the requirement of IRO-004-1, R4.

Sincerely,

Tracy L. Patterson  
General Manager  
Cedar Bay Generating Co. LP

|          |                     |
|----------|---------------------|
| 10-23-07 | Database            |
| 10-23-07 | Entity Notification |
| 10-23-07 | NERC                |
|          | File                |

## **Attachment e**

### **FRCC's Verification of Completion of the Mitigation Plan, dated October 22, 2007**

**FRCC Compliance and Enforcement Program  
Mitigation Plan Completion Steps**

Entity: Cedar Bay Generating Co. LP-Cedar Bay Generating  
Date Submitted: 7/9/07  
Standard: IRO-004-1  
Requirement(s): R4

**Completion Steps**

Entity submitted certification signed by the registered Entity's officer or equivalent for the plan, that all required actions described in the mitigation plan have been completed or information sufficient for the FRCC to verify completion. Yes  No

Does FRCC require supporting information by conducting follow-up assessments, on-site or other Spot Checking, or Compliance Audits necessary to verify that all required actions in the Mitigation Plan have been completed? Yes  No

Supporting information required. Date request sent to Entity 10/15/07 Yes  No

Mitigation Plan completed on time If not, describe further action required Yes  No

Quarterly updates required to NERC Yes  No

Reviewed by Barry Pagel  
Date reviewed 10/22/07

Letter from Tracy L. Patterson (General Manager – Cedar Bay Generating Co. LP) provided documentation and certification of completion for this mitigation plan.

Notify NERC of completion  
Input completion date in FRCC database

**Attachment f**

**Notice of Filing**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Cedar Bay Generating Company, LP

Docket No. NP10-\_\_\_\_-000

NOTICE OF FILING  
November 13, 2009

Take notice that on November 13, 2009, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding Cedar Bay Generating Company in the Florida Reliability Coordinating Council region.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,  
Secretary