

Name (46 Responses)
 Organization (46 Responses)
 Group Name (21 Responses)
 Lead Contact (21 Responses)

IF YOU WISH TO EXPRESS SUPPORT FOR ANOTHER ENTITY'S COMMENTS WITHOUT ENTERING ANY ADDITIONAL COMMENTS, YOU MAY DO SO HERE. (13 Responses)

Comments (67 Responses)
 Question 1 (47 Responses)
 Question 1 Comments (54 Responses)
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 Question 6 Comments (54 Responses)
 Question 7 (0 Responses)
 Question 7 Comments (54 Responses)

Individual
Steven Powell
Trans Bay Cable LLC
No
Since NERC is moving towards NOT COUNTING no votes without comment, then they are stating comments are required. If comments are required, then the drafting teams/NERC should directly respond to the comments. A lot of time, money, energy is spent in developing, reviewing and writing comments to provide feedback to standard drafting teams. If NERC would decide allow NEGATIVE or NO votes without comment I would support the recommendation. If significant changes are going to be made to a standard, then I agree a response is not required, but the entity who submitted the comment should be responded to stating their comment will be addressed in the updated standard. Again, a lot of time, effort and man power is put into reading, reviewing and responding to standards.
No
Per the ANSI standard document, their standards are "guidelines" for industry practice, such as seismic standards for buildings. It's not a "regulated" or "audited" standard that has possible financial penalties for violations. Also, within this same update, NERC is requesting to not respond to all comments, so not only do they want more comments, they don't want to respond to them either.
Yes
My team really liked the format of the test RSAW
Yes
No
I would recommend working towards writing more clear standards. They have become more "legal" than industry and thus require more review which leads to more clarifying questions. Make it simple, easy to use.
No
There was not enough information on how/when this could/would be used. I see this being used for standards such as CIP V5 that do not pass the voting process and are "pushed through" to meet FERC deadlines. More information on when this would be used and what controls would be in place are needed.
Group
Dominion
Randi Heise
Agree
Group
PacifiCorp
Ryan Millard
Yes
Yes
No
PacifiCorp does not support the proposal to move measures to RSAWs as revisions to RSAWs are not subject to the same standards balloting process. The absence of a binding process for the rejection or approval of revisions to the RSAW could create inconsistency between the way a standard is written and the way it is measured in the RSAW. PacifiCorp prefers that the measures remain in the standards template to ensure that changes to a standard and to the way a standard is measured are evaluated concurrently within the same document.
No
PacifiCorp does not support the continued use of VRFs and VSLs as the SCPS works towards a more effective solution for eliminating them from the standards process. VRFs and VSLs are a faulty process to determine the level of severity for a potential violation. The increase in

severity levels and risk factors during updates of existing standards provides little constructive information. The inclusion of the VRFs and VSLs in the balloting process (without binding balloting by the industry) is a drain on industry resources and the balloting process and serves no helpful purpose.

No

PacifiCorp understands the concern that the interpretation process may lead to large volumes of work for drafting teams and delay in processing other pending standards projects, but those reasons alone are insufficient to limit an otherwise significant right of registered entities: to request reasonable clarifications or interpretations of approved standards that may otherwise be imprecise as presently drafted. It does not appear reasonable for NERC to focus its efforts on processing "high-priority standards projects" when there is a legitimate and reasonable request by registered entities to seek clarification of current active standards with which entities are already required to comply. To that end, PacifiCorp disagrees with certain of the enumerated example circumstances by which an Interpretation request may be rejected, as they actually appear to target the core reason as to when registered entities may bring legitimate Interpretation requests. For example, rejecting an Interpretation request that "[i]dentifies a gap or perceived weakness in the approved Reliability Standard," fails to align with a common legitimate justification for a request; approved standards or requirements may have an identified gap or weakness that, as written, impact registered entities' ability to have assurance that it may wholly comply. Further, rejecting an Interpretation request "[w]here an issue can be addressed by an active standard drafting team," is insufficient as a general rule to justify a rejection; an active NERC project may not necessarily address the precise issue in the request and there is no telling how long the active drafting team may take with its project, in any event.

No

PacifiCorp purports that the exercise of a waiver provision will result in a violation of NERC's ANSI-approved standards development process. Additionally, reporting the exercise of a waiver to the Board of Trustees (BOT) prior to adopting a standard is unacceptable. The exercise of the waiver and BOT approval may be separated by years of work by both the Standards Committee (SC) and the Standards Drafting Team (SDT). Each exercise of an SC waiver should have BOT finality so that the BOT will not be pressured to approve any waiver, regardless of the facts, to preserve the substantial body of work that has followed the exercise of waiver by the SC. At a minimum, waivers to the SPM should be preceded by the following: a. The posting of an SC document to the Registered Ballot Body (RBB) that describes the reason for the requested waiver, including the threat to reliability, and what processes would be affected by the waiver. b. A short (10 day) period for accepting RBB comments. c. After comments are received, the SC may either withdraw the waiver or request its expedited approval by the BOT, ensuring that the board is supplied with the comments received. The entire process proposed above could be completed within 30-45 days, causing a minor delay for the (hopefully) rare exercise by the SC of waiving an SPM provision.

PacifiCorp believes that further contracting the limited time that the industry already has to review, evaluate, and comment on new or revised reliability standards does not adequately address the challenges associated with reaching timely stakeholder consensus. Rather than focusing on the small window of opportunity that the industry has to provide input into the process, attempts should be made to curtail the amount of time it takes for standards to be processed by the drafting committees.

Group

Arizona Public Service Company

Jana Van Ness, Director Regulatory Compliance

Yes

No

As proposed, essentially all "no" votes are subject to not being counted in the calculation of consensus.

No

While we fully support the development and revision of RSAWs by the drafting team at the time of the development/revision, until such time as all Standards are accompanied by RSAWs, the measures within the Standards are a helpful tool for industry to determine auditor focus and intent.

No

Until the SCPS has developed a more effective solution, VRF and VSL should be eliminated. It may take a long time before the process is developed and continuing in the meantime is not advised, because the VRFs and VSLs are not being applied consistently and there is no transparency regarding the fines that are issued.

Yes

Yes

In spite of SPIG recommendation to address cost effectiveness in the standard development process (Recommendation 4, bullet item 2), the proposed process does not address this recommendation. This should be one of the prime considerations and should be addressed.

Individual

Molly Devine

Idaho Power Co.

Yes

Yes

Yes

Yes

Yes

Yes

Group
NPCC
Guy Zito
Yes
Yes
No
Comments: It is important for Stakeholders to be able to provide input into the Measures via the Reliability Standards, specifically to ensure there are not additional Requirements inadvertently incorporated into the RSAWs. Because there is no obligation for NERC to include comments from the Stakeholders in the RSAWs, the Measures should not be moved from the Standards development process.
No
Comments: The development of the VRFs and VSLs takes a significant amount of time and effort in the Standards development process. Since the resulting "benefit" does not outweigh the cost of this effort, we suggest these be eliminated.
No
Comments: While we agree with clarification on the use of Interpretations, we do not agree that the Interpretations are limited in the cases of "Where an issue can be addressed by an active standard drafting team." or "Where a question has already been addressed in the record." In the first instance, although duplication of effort is not desirable, it is not acceptable that a Responsible Entity may be found in violation and subsequently penalized while awaiting development of a standards development process. In the second instance, if there is a question that has been 'addressed in the record' we believe that this clarity should be incorporated into the Reliability Standard itself.
No
Comments: The SC already has, and has previously, exercised the 'authority' to 'deviate' from the process. However, the current requirement is that the SC must report these 'deviations' to the CCC and Board. With this blanket waiver, the industry would lose the information that may be critical to understanding when and where the process may be broken and, therefore needs to be deviated from.
Comments: The following additional comments: • The footer in the main page is erroneous, given the recent relocation of the NERC offices to Atlanta. • There should be an obligation on NERC to file a Board-approved Standard with appropriate regulatory bodies within 30 to 60 days. • There should be a limit on the number of recirculation ballots that are required/can be performed, so that the Industry has an opportunity to appropriately affect the outcome of a Standards project through a re-ballot. • The VRFs and VSLs should be eliminated from the Standards Development Process. • The revision should include the changes to incorporate the formation of the Reliability Issues Steering Committee (RISC). • The annual solicitation of projects by NERC Staff is no longer needed and should be eliminated. There is a backlog of Standards Projects in the plan and there is no need to ask for more work in this area. If there is an identified reliability need, a SAR should be submitted. • The proposed elimination of the ability to appeal from the SPM is not acceptable. • We do not support addition of section 4.18 which appears to give the Board additional authority outside of Process. Any withdrawals should go through the industry for balloting. • We do not support the proposed addition of the paragraph (in Section 7.0) which reads "The NERC Reliability Standards and Legal Staff shall review the final Interpretation to determine whether it has met the requirements for a valid Interpretation. Based on this review, the NERC Reliability Standards and Legal Staff shall make a recommendation to the NERC Board of Trustees regarding adoption." This is the responsibility of the SC. • We do not support the proposed addition of the paragraph (in Section 7.0) which reads "NERC Board of Trustees may direct the development of a new or revised Reliability Standard to address a national security situation that involves confidential issues..." This resides within the authority of FERC. • We do not support the five year review modification to ten years. The enforcement of the five year review would have made the Paragraph 81 initiative unnecessary. • Regarding the No voting without responses, NERC should change their tool such that the submitter gets an error message unless something is included in the comments field. This would appropriately resolve the issue. • The present SPM has an "expedited standards development process" that was stricken. However, the RoP section 300 (Reliability Standards Development) requires that process. Section 309.3 references it. The SPM should retain that. Without it in the SPM, NERC cannot respond to a request from a governmental authority for expedited development of a standard. The SPM therefore needs to retain that procedure, and if this provision were reinstated, the use of a waiver process would be minimized since the expedited process would be a provision of the SPM. • The proposed version of Section 16.0: Waiver of the SPM (from the clean version, p. 49) allows the Standards Committee wide latitude to waive any SPM provision. From the document: "The Standards Committee may waive any of the provisions contained in this manual for good cause shown, but limited to the following circumstances: • Where necessary to meet regulatory deadlines; • Where necessary to meet deadlines imposed by the NERC Board of Trustees; or • Where the Standards Committee determines that a modification to a proposed Reliability Standard or its Requirement(s), a modification to a defined term, a modification to an interpretation, or a modification to a variance has already been vetted by the industry through the standards development process or is so insubstantial that developing the modification through the processes contained in this manual will add significant time delay. In no circumstances shall this provision be used to modify the requirements for achieving quorum or the voting requirements for approval of a standard. The Standards Committee shall report the exercise of this waiver provision to the Board of Trustees prior to adoption of the related Reliability Standard, Interpretation, definition or Variance. Reliability Standards developed as a result of a waiver of any provision of the Standard Processes Manual shall not be filed with ANSI for approval as American National Standards." The use of a waiver will result in a violation of the NERC's American National Standards Institute (ANSI) approved standards development process. Otherwise, the last highlighted sentence above would not be needed. Reporting the use of a waiver prior to the Board of Trustees (BOT) adopting a standard is unacceptable (refer to "The Standards Committee shall report the exercise of this waiver provision to the Board of Trustees prior to adoption of the related Reliability Standard, Interpretation, definition or Variance."). The exercise of the waiver and BOT approval may be separated by years of work by the both the Standards Committee (SC) and the standards drafting team (SDT). Each exercise of a SC waiver should have BOT finality so that the BOT will not be pressured to approve any waiver in order to not reject the substantial body of work that has followed the exercise of the waiver by the SC. At a minimum, waivers to the SPM should be preceded by the following: a. The posting of an SC document to the Registered Ballot Body that describes the reason for the requested waiver, including the threat to reliability, and what processes would be affected by the waiver. b. A short (10 day) period for accepting Registered Ballot Body comments. c. After comments are received, the SC may either withdraw the waiver or request its expedited approval by the NERC board, ensuring that the Board is supplied with the comments received. The entire process proposed above could be completed within 30-45 days, causing a minor delay for the hopefully rare exercise by the SC of waiving a SPM provision. • The extension of the ballot window when the last day falls on a Saturday, Sunday or federally-recognized United States holiday, should be modified to include Canadian holidays. It must be recognized that the document applies continent-wide.
Individual
John Seelke
Public Service Enterprise Group

Yes
Yes
Yes
Yes
Yes
No
First, the use of a waiver will result is a violation of the NERC's American National Standards Institute (ANSI)-approved standards development process; otherwise, section 16.0 would not contain the sentence "Reliability Standards developed as a result of a waiver of any provision of the Standard Processes Manual shall not be filed with ANSI for approval as American National Standards." Second, reporting the use of a waiver prior to the Board of Trustees (BOT) adopting a standard is unacceptable – see the sentence "The Standards Committee shall report the exercise of this waiver provision to the Board of Trustees prior to adoption of the related Reliability Standard, Interpretation, definition or Variance." The exercise of the waiver and BOT approval may be separated by years of work by the both the Standards Committee (SC) and the standards drafting team (SDT). Each exercise of an SC waiver should have BOT finality so that the BOT will not be pressured to approve any waiver, regardless of the facts, in order to not reject the substantial body of work that has followed the exercise of the waiver by the SC. As we suggested in our prior comments, at a minimum, waivers to the SPM should be preceded by the following: a. The posting of an SC document to the RBB that describes the reason for the requested waiver, including the threat to reliability, and what processes would be affected by the waiver. b. A short (10 day) period for accepting RBB comments. c. After comments are received, the SC may either withdraw the waiver or request its expedited approval by the NERC board, ensuring that the board is supplied with the comments received. This entire process proposed above could be completed within 30-45 days, causing a minor delay for the hopefully rare exercise by the SC of waiving an SPM provision. If this provision is adopted in the next SPM version, we will vote "Affirmative."
Individual
Thomas Lyons
Owensboro Municipal Utilities
Yes
No
OMU does not support the provision where negative votes are eliminated as part of the calculation of consensus, if these votes do not contain comments.
Yes
Yes
Yes
No
OMU is not opposed to a fast track process utilizing specific guidelines or criteria ;however, we cannot support a full waiver provision with the SC.
Individual
Jim Cyrulewsmki
JDRJC Associates
Agree
MISO/SRC
Individual
Laura Lee
Duke Energy
No
Section 4.5 should require, not just encourage, summary responses to informal comments. This is an important part of the dialogue between the industry (those providing the informal comments) and the standard drafting team. Similarly, the standard drafting team should be required in section 4.12 to respond in writing with a summary of the significant revisions identified in consideration of comments submitted.
Yes
No
Measures should be kept in the standard itself due to the fact that the RSAWs can be changed without industry input after the standard has been approved, but measures are currently an element of the reliability standard subject to industry vote, Board of Trustee and FERC approval. Keeping the measures as part of the Reliability Standard itself provides compliance certainty and ensures they are considered during the Quality Review, ultimately resulting in greater consistency and higher quality of the measures and the standard overall. This change would necessitate adding the Measures to section 4.6 Conduct Quality Review.

No
It would be preferable to eliminate the VRFs and VSLs as part of a comprehensive overhaul of the Compliance Monitoring and Enforcement Program in order to alleviate the burden on the Standard Drafting Team.
Yes
1) Please expand on the term "plain on its face" in the eighth example of why an Interpretation may be rejected. It is not clear how that will be assessed. 2) As noted in the response to Question 3, Measures should be retained as an element of the reliability standard and should be subject to interpretation as they could require technical expertise to interpret.
No
The circumstances listed in Section 16 for invoking the waiver provision do not constitute reliability needs. The provisions that can be waived should be more limited and the circumstances for which they can be waived should be based on clearly articulated reliability needs. The industry expertise of the Members Representative Committee (MRC) should be used to evaluate the provisions being waived and the circumstances they are being waived in.
There needs to be clarity on what is actually being balloted and adopted by the Board of Trustees. Section 2.5 Elements of a Reliability Standard or section 4.9 Conduct Ballot and Non-binding Poll of VRFs and VSLs would seem to be logical places for this clarity. Are the Compliance Elements subject to ballot and adoption? Would they need to be balloted and adopted again if changed? As stated previously, Measures should be retained and should be balloted and adopted.
Individual
Steve Rueckert
WECC
Yes
Yes
Yes
No
I believe that the intention behind removing the VRFs and VSLs was sound. I also understand the opposition voiced by the Compliance representatives from the different regions. I urge the SC and the SCPS to continue pursuing this effort.
Yes
the latest redline includes the deletion of the last paragraph in section 4.11. It appears that the last paragraph in section 4.11 should be retained.
Individual
Thad Ness
American Electric Power
Yes
The text for 4.12 as provided in the comment form above is shown as 4.12 in the draft, and the text for 4.13 provided in the comment form above is shown as 4.12 in the draft. It would appear that the draft is incorrect and that the format provided in the comment form is correct.
Yes
AEP has no objections as currently proposed, however the comment field was removed from balloting earlier this year, and it remains to be seen what approach would be taken to reference and acknowledge comments made using the electronic comment form.
Yes
We see the potential benefit of proposing RSAWs during the comment period as it gets the RSAW closer to the original drafting team, however AEP is concerned that industry would now have a very limited say in their content by virtue of the non-binding poll for RSAWs. AEP sees the benefit of having the RSAWs be an attachment of standard itself, thereby serving as a "one stop shop", and affording industry the opportunity to provide comment and vote on the "attached RSAW".
No
AEP is disappointed that the SPCS has seemingly abandoned the concept of pursuing the elimination of VRFs and VSLs from the standard template in favor of a Sanction Table Reference. We believe it was an opportunity to encourage SPIG to evaluate the current compliance practice that requires 100% compliance at all times, specifically in regards to requirements that have a very large scope and application. For example, these standards have driven entities to track many thousands of individual due dates which must all be met in order to be fully compliant. To track and meet this volume of distinct parameters is not only extremely challenging, but creates a statistical certitude that violations will occur. We suggest that future standards be developed in such a way that promotes the reliability of the BES in a manner which yields a more reasonable volume of milestones and deliverables to track and meet. AEP liked where the SPCS was going in regards to the Sanction Table Reference, and cannot comment on continuing the use of VRFs and VSLs until a newer methodology is proposed. In the meanwhile, AEP encourages the team to continue working towards an effective solution for eliminating VRFs and VSLs from the standards process. It is our hope that this could be accomplished in the near term, rather than years from now.
Yes
In Step 3 of the process flow, it states "If the Standards Committee rejects the Interpretation request, it shall provide a written explanation for rejecting the SAR to the entity...". Should this instead state "shall provide a written explanation for rejecting the Interpretation Request to the entity"?
No
Though AEP would not object outright to such a waiver process, our concerns would be in regards to what level of perceived urgency might drive such a waiver, as well as how often such a waiver might be invoked. Such a waiver should only be used for the most extreme and rare circumstances, and the circumstances as currently listed are not restrictive enough. For example, "where necessary to meet regulatory deadlines" is entirely subjective and could conceivably be used for almost any circumstance. Rather than being so open-ended, AEP recommends adding language stating that invoking such a waiver could *only* be done in response to circumstances involving a known and

immediate impact to the reliability of the BES. In addition, and perhaps more importantly, it would appear that any such waiver process would be in direct violation of ANSI standards. NERC seems to acknowledge this at least in part by stating in the SPM that "Reliability Standards developed as a result of a waiver of any provision of the Standard Processes Manual shall not be filed with ANSI for approval as American National Standards." AEP is greatly concerned by any process which would circumvent ANSI for any reason, even for expediency's sake, and seeks clarification on what ANSI accreditation implications there might for NERC as a result of the proposed process.

Individual

Jonathan Appelbaum

The United Illuminating Company

Yes

Yes

Yes

Yes

No

: UI does not believe the propose waiver process will function. Without ballot body support to waive the ANSI process any attempt to utilize the waiver process will result in a negative vote. The proposed process will not expedite a standard but delay it. The proposed process informs the BOT at the time a standard is submitted for BOT approval that it was developed via a Waiver process which can lead to the inefficiency of the BOT remanding the Standard to go through the ANSI process. This would be more inefficient then just going with the ANSI process. UI proposes the inclusion of a 15 day ballot where the SC provides notice a Standard will be drafted with a waiver on certain sections of the ANSI process. The Ballot body could then approve the waiver and development could proceed.

The discrepancy between the ROP Section 309 requirement for an expedited action procedures and the SPM removal of the Expedited Standard Development Process section should be resolved or explained prior to approving the SPM. The ROP and the history of the SPM make clear that an Expedited Standard Development Process was required at the time of SPM drafting. Section 309 is titled Directives to Develop Reliability Standards under Extraordinary Circumstances; it is not just a Directive to develop a Standard but a Directive issued under extraordinary circumstance. A process to waive portions of the normal standard development process is not the same thing as establishing a process to expedite standards during extraordinary circumstance. Either the ROP requires modification to remove the use of an expedited standards development process, or the section titled waivers needs to incorporate explicitly a reference to an expedited standards development process, or the expedited section not deleted. UI suggests that the Expedited Section not be deleted but that it is repurposed to meet its true intent of Extraordinary Circumstances where the BOT approves development of a Standard to be effective until a=the ANSI process can be completed. In this manner the ROP does not require modification, the proposed section 16 can be established to improve efficiencies, and the extraordinary circumstance can be retained.

Individual

Michelle R. D'Antuono

Occidental Energy Ventures Corp

Yes

Occidental Energy Ventures Corp (OEV) agrees that the elimination of a requirement to individually address each stakeholder comment could result in substantial savings in development time. However, we are concerned that if some consideration is not demonstrated, most entities (including us) will likely re-submit the comment during the following review. If this consistently occurs, the result could be extra review cycles – and eliminate the benefit of not developing a response in the first place.

Yes

OEV appreciates the project team's decision to remove the allowance for "No" votes with non-relevant comments to be discarded. As an active member in a Trade Association, OEV will often refer to comments that they submit – and want to be sure that our input will count against the final tally. In addition, we were concerned that someone would make a value judgment on the applicability of our comments, which we believe is not appropriate.

Yes

OEV believes that the project team has addressed many of our concerns that we submitted to the original draft of the Standards Development Process Manual. Although we would still like to see a binding vote on the RSAW, it is essential that its coordinated development with the Reliability Standard is essential to consistency in the findings of violations – a high priority outcome from our perspective.

Yes

Although OEV understands that a significant savings in time could result from the elimination of VRFs and VSLs, we agree that it is premature to proceed down this path. The existing strategy to determine the risk of a violation to the BES has resulted in a level of consistency that is understood by all involved.

Yes

OEV believes that by instituting a concurrent standard/RSAW review process, the project team has embarked upon a path which will greatly reduce the need for interpretations and Compliance Application Notices. Although never quite perfectly achievable, that is the appropriate goal of the Standards Development process. We have no problem with language that discourages the submission of minor issues into the interpretations process.

No

The issue is not whether the SC applies the wavier – its whether NERC and FERC can dispense with industry-acceptance when they believe the need is urgent. OEV understands that they may have the legal authority to do so (as defined in the FPA), but does not agree that this allows the ENTIRE process to be ANSI accredited. The ANSI process is intended to demonstrate sincere cooperative efforts between organizations that have different goals – and result in a body of standards which is accepted by all stakeholders. Simply declaring that one group is ANSI certified while the other group is not, is not acceptable to OEV. Therefore, OEV cannot support this recommendation.

Individual
Joe O'Brien
NIPSCO
No
Comments should be related and relevant.
Yes
Yes
Yes
No
There appears to be concern in the industry regarding this waiver section 16.
Individual
Patrick Brown
Essential Power, LLC
Yes
Yes
The SC must ensure that the commenting function is included in the balloting software prior to implementing this change.
Yes
Yes
Yes
Yes
Individual
Scott McGough
Georgia System Operations Corporation
Yes
This is yes is contingent up additional clarity in providing the response to the comments.
Yes
No
This would be acceptable if the industry had the right to approve the RSAWs.
No
If the VRFs and VSLs are continued to be used in enforcement they should be part of the standard development process.
No
It could be acceptable if registered entities were involved in the approval of the interpretation.
The Quality Review processes are not well defined. There is still confusion with respect to the VRFs and VSLs in the document and if they are or are not applicable. There is still confusion on how the RSAWs are a component of the SPDM and whether or not due process is applicable to the RSAWs. The Waivers portion of the SPDM does not seem to be open, transparent nor provide an opportunity for public comment nor due process in developing a Reliability Standard. The SPDM does not give a clear explanation of when and how registered entities comments are consistently addressed when submitted. The timing aspects of Additional Balloting are unclear. The Interpretations language of the SPDM has undergone significant changes and industry participation is not clearly defined and seems to be limited affecting due process. Eliminating Measures is not good unless they can be moved to the RSAWs and then the industry has the right to approve the Measures. The unofficial comment form does not adequately represent the language in the SPDM. It is paraphrased in certain cases and does not adequately represent the language in the SPDM. Some of the concepts in the proposed SPDM are good but NERC needs to have a workshop on this exercise and produce a quality document for such an important component of the ERO responsibilities.
Individual
Nazra Gladu
Manitoba Hydro
Yes
No

Because the text related to negative votes without comments has been deleted from section 4.11 and not replaced with alternate wording, it is now not clear what will happen when someone submits a negative vote without comments. As a related question, we have several voting representative in our entity, but only submit one commenting form on the entity's behalf. Will this be sufficient?

No

If the measures are to be moved into the RSAWs then there should be a binding vote on the RSAWs. There is no obligation by compliance staff and the SDT to make modifications based on comments submitted in non-binding polls. As an example, even though draft CANs are posted for comment, very few comments are ever incorporated into the CANs. A binding poll on measures, whether they are in the standards or RSAWs, will lead to measures that are more acceptable to industry as a whole.

Yes

No

Section 16.0 proposes to allow NERC's Standards Committee to "waive" any provisions in the manual for good cause shown under certain circumstances: (1. to meet NERC BOT deadlines; 2. to meet regulatory deadlines; 3. for "insubstantial" modifications to standards). Our first concern is that the concept of a "waiver" is inappropriate in this context. In legal terms, a party can only waive its own rights, not its obligations or the rights of others. The NERC membership, not the Standards Committee, has the right to insist that all standards be developed in accordance with the NERC Rules of Procedure (as part of the membership agreement), including the SPM which forms part of the ROP. Accordingly, only the NERC membership as a whole can waive this right. The Standards Committee cannot "waive" its obligation to follow the SPM. Furthermore, the Standards Development Process is a core principle of NERC that ensures that industry has sufficient input into the development of a standard. This core principle served as the primary foundation for various Canadian Governmental Authorities granting authority to NERC. Eliminating or shortening comment periods through a generic waiver provision can significantly erode industry involvement, especially considering the volume of standards development projects which compete for attention. This can cause Canadian Governmental Authorities to reconsider NERC's authority in the various provinces. In Manitoba, only NERC Rules of Procedure that are incorporated into regulation will be effective in Manitoba. It is to be noted that the provisions of Section 321 of the NERC ROP governing responding to regulatory directives also attempted to make deviations from the standards development process and was intensely debated by industry, including the Canadian Electricity Association. The proposed waiver criterion regarding "meeting NERC BOT deadlines" allows considerable discretion to the board which could trigger the waiver provisions, and provides too much uncertainty.

Overall, it is still not clear to us that these revisions have addressed SPIG recommendations #4 and #5. Section 2.5: Requires revision if it is to apply to jurisdictions outside of the United States. The reference to the term "Compliance Enforcement Authority" should be revised to refer to the entity that is responsible for monitoring performance and/or determining if an entity is compliant with the associated Reliability Standard. A similar revision needs to be made to the next sentence (by changing "and" to "and/or") as neither NERC nor Regional Entities determine compliance in Canadian jurisdictions. Section 3.7: "Canadian National Energy Board" should be renamed "National Energy Board of Canada". Section 4.9: Given that NERC is an international organization, this section should refer to both U.S. and Canadian holidays in considering the ballot window. Section 4.19: The reference to "FERC" in the first sentence should be replaced with "Applicable Governmental Authorities". The term "applicable governmental authority/ies" should be capitalized throughout, as it is a defined term.

Individual

John Brockhan

CenterPoint Energy Houston Electric L.L.C.

Yes

No

CenterPoint Energy does not agree with the modified proposal for handling "no" votes. The Company agrees with an incentive to provide constructive comments with an entity's "no" vote, however CenterPoint Energy strongly believes if a "no" vote is not to be counted in the calculation of consensus, then the vote should not count towards the calculation of quorum. CenterPoint Energy is concerned that this method has the potential to skew a ballot in favor of passage when that may not be the consensus of industry voters. In addition, the Company believes these "hidden" "no" votes should be posted so that an accurate picture of industry support for a project be displayed for all participants to view. CenterPoint Energy recommends if a "no" vote with no comments is not to be counted toward consensus then that vote should not be counted towards quorum.

Yes

Yes

No

CenterPoint Energy does not believe such a waiver is necessary. The circumstances listed do not rise to this level of urgency. FERC and the NERC BOT are well aware of the minimum time needed to develop and ballot a new or revised Standard. The Company does not believe there are actual reliability issues that would be so critical as to require such an expedited process. If one did arise, there are other means available to address such a concern such as the NERC Alert process.

Individual

William O. Thompson

NIPSCO

Agree

"Reference the comments submitted for NIPSCO by Joe O'Brien."

Group

MRO NSRF

Joseph DePoorter

Yes

Yes, we agree with these changes. We encourage the standard drafting team to post the revised Reliability Standard for another 45 calendar

day public comment period and ballot each time a stakeholder or ballotter proposes a significant revision to the Reliability Standard during the formal comment period or concurrent Ballot that will improve the quality, clarity, or enforceability of that Reliability Standard.
Yes
Yes
Yes
We support the SCPS' efforts to create a more effective solution for eliminating VRFs and VSLs from the standards process.
Yes
No
We discourage the use of a waiver process. We do not believe that taking action on reliability directives and standards in a faster fashion will increase the reliability of the grid, but following the standards process that has received consensus from the industry will better lead to a more reliable grid.
None
Individual
Andrew Z. Pusztai
American Transmission Company
Yes
Yes
Yes
Yes
Yes
Yes
Yes
Individual
Brian Murphy
NextEra Energy
Yes
Yes
Yes
No
As stated in its original comments NextEra Energy, Inc. (NextEra) does not see the value in the VSLs. NextEra generally favors the approach of eliminating VRFs and VSLs as presented in the original SPIG changes, subject to NextEra's specific comments on the replacement tables.
No
NextEra continues to favor its approach as presented in its original comments that clarifies how interpretations should be addressed.
Yes
NextEra generally supports the clarification, but suggests that an additional option for a waiver be added: "In response to a national emergency declared by the United States or Canadian government that involves the reliability of the BES or cyber attack on the BES." NextEra also recommends that the following be added as a lead in to ensure that stakeholders have adequate notice of a possible waiver: "With the exception of a waiver addressing a national emergency, all potential waivers must be noticed to stakeholders 5 business days in advance of any consideration by the Standards Committee."
One part of the Standards Development process that needs significant improvement is the options available to the Standards Committee when reviewing a proposed SAR. Currently, the rules related to a SAR, even with the new SPIG language, state that the Standards Committee essentially has only the choice to accept or reject, with some ability to delay for further justification or work. NextEra believes that the Standards Committee should consider a SAR in light of existing or pending Standards Development projects, stakeholder support for the SAR and the new RISC triage group. To implement these options, NextEra requests that pertinent portions of Sections 4.1 and 4.2 be revised to read as follows: Section 4.1 proposed changes: "The NERC Reliability Standards Staff shall review each SAR and work with the submitter to verify that all required information has been provided. All properly completed SARs shall be submitted to the Standards Committee for action at the next regularly scheduled Standards Committee meeting. When presented with a SAR, the Standards Committee shall determine if the SAR is sufficiently complete to guide Reliability Standard development and whether the SAR is consistent with this manual. The Standards Committee shall take one of the following actions: • Accept the SAR. • Accept the SAR with the condition that it be combined with an existing or pending Standards Development project. This action may require that the Standards Committee also authorize increasing the scope of the existing or pending Standards Development project. • Remand the SAR back to the requestor or to NERC Reliability Standards Staff for additional work. • Reject the SAR. The Standards Committee may reject a SAR for good cause. If the Standards Committee rejects a SAR, it shall provide a written explanation for rejection to the sponsor within ten days of the rejection decision. • Delay action on the SAR pending one of the following: (i) development of a technical justification for the proposed project; or (ii)

consultation with RISC, the Planning Committee or Operations Committee to determine if there is another approach to addressing the issue raised in the SAR, such as via lessons learned, best practices technical white paper, etc.” Section 4.2 proposed changes: “If stakeholders indicate support for the project proposed with the SAR, the drafting team shall present its work to the Standards Committee with a request that the Standards Committee authorize development of the associated Reliability Standard. When considering this request, the Standards Committee may take any of the appropriate actions listed in Section 4.1. If stakeholders do not support the project proposed with the SAR, the drafting team shall present its work to the Standards Committee. If the Standards Committee agrees that stakeholder support is lacking, the SAR shall be rejected and the proposed project closed. When there is a question of stakeholder support for a SAR (either from NERC staff or a Standards Committee member), the Standards Committee shall review the record and make a determination. If the determination is that there is no stakeholder support for the SAR, the SAR shall be considered rejected and the proposed project closed.” New language to bypass SAR process at the end of Section 4.1: “Upon receipt of a rapid revision request, the Standards Committee may authorize by-passing of the SAR process, provided that the rapid revision request includes specific language to change a Reliability Standard to improve its clarity or a possible incorrect interpretation, and the change shall be supported with legal or technical rationale. If the Standards Committee does not agree that a rapid revision request is appropriately supported by technical or legal rationale, it shall reject the rapid revision request and inform the requester in writing.”

Group
 EPSA
 Jack Cashin

Yes

See comprehensive comments in Question 7

Yes

See comprehensive comments in Question 7

Yes

See comprehensive comments in Question 7.

Yes

See comprehensive comments in Question 7.

Yes

See comprehensive comments in Question 7.

See comprehensive comments in Question 7.

EPSA answers: EPSA generally supports the efforts of the Standards Committee (SC) and NERC staff regarding the proposed revisions to the Standards Process Manual and votes yes on while expressing the value of improvements and concerns about the proposed revisions. It is important to incorporate the changes of the Standards Process Input Group (SPIG) and make changes that will promote continual improvement of the standards process. Several revisions should improve the standards process: - Development of RSAWs in the standards process will better align RSAWs with the intent of the standard and motivate registered entities to use RSAW provisions in compliance programs; - the revised language includes the inclusion of technical writers, legal, compliance and facilitation support personnel which will provide for appropriate professional personnel making the standards process more efficient; - removal of the 30 day time frame for informal comment periods is useful to give flexibility to the informal process; - enabling quality reviews to occur throughout the process rather than at the end is a positive changes which should add flexibility; and, - Standard Authorization Request (SAR) remand revisions process improvement that now allow the SC to remand a SAR to either Staff or the requestor should increase efficiency. EPSA does have some concerns about the proposed changes that should be noted: - A key point raised through the SPIG evaluation process and in the comments was the need for better front end analysis. This point went in two directions - one became a Reliability Issues Steering Committee (RISC) task to consider whether an issue should be handled with a standard. The RISC is now in place and will address this issue. The second issue dealt with whether to deploy more robust input in creating the project details (scope, foundational analysis, etc.) that would better focus the standard project. In EPSA's view the second issue still needs to be addressed. Should the SPIG continue its work EPSA recommends that this issue should be the starting point for their continued work. - Another SPIG recommendation was for better utilization of the technical committees in the standards development process. The current revisions do not include effective changes regarding the role of the technical committees. - The revisions tie the SPM closely to the Reliability Standards Development Plan (RSDP). It's not clear that the plan development process is sufficient to support this strong of a tie. The RSDP process may need notable revision to be effective. Moreover, it may need coordination with the RISC efforts. - Removal of Measures from the standard language means removal of approved language that has provided registered entities with stability and provides informal guidance. The replacement of Measures with RSAWs needs to demonstrate measurable benefits, and if not, the change should be revisited. - Regarding changes associated with Response to Comments – EPSA infers that the benefit of the change is that SDT members don't have to spend as much time on responding to comments and can focus on drafting work. However, the response to comments is important – its serves as an acknowledgement, as well as whether the SDT understood the comments, and as a tool for confirming language understanding. Such clarification can inform understanding in the compliance process. In addition, putting all responses at the end of the process in summary form may eliminate the value that the response to comments contributed to language development and getting to yes votes. - The waiver justification is that it will improve efficiency and expedite the standards process in place of the Expedited Process. EPSA believes that installing a broad waiver may not be as efficient as fixing the problems with the Expedited Process. The inclusion of the waiver creates a lot of latitude for the SC to potentially step aside the process that relies on stakeholder expertise for decision making. Therefore it is not assured that time will be saved through use of the waiver.

Individual
 David Thorne
 Pepco Holdings Inc

Yes

Yes

Yes

Yes

Yes
PHI supports the proposed draft of the SPM.
Individual
Mace Hunter
Lakeland Electric
No
Removal of the comments entry field from the ballot screen causes this proposal to be a problem. My concern is that this will cause a burden on the vote compilers to look in the comment files for comments that are related to the "no" or negative vote. One solution may be to provide some type of link to the comments when a negative vote is entered.
No
I support FMPA comments on this question
Group
ISO/RTO Council's Standards Review Committee
Ed Skiba
Yes
Regarding the No voting without responses, we recommend NERC change their tool such that the submitter gets an error message unless something is included in the comments field. We find it problematic for the tool to accept a No vote without comments and then exclude the No vote in the opposition count without providing notification to the submitter that their vote will not be counted. As currently drafted and without the changes to the tool, there are inconsistencies between Sections 4.10 and 4.11. Section 4.11 removed the reference that allowed a ballot pool member to submit a negative vote without comment. However, Section 4.10 indicates that negative votes without comments can be submitted but they will not be counted in determining the consensus but will be used in determining quorum. The two sections are inconsistent.
No
We believe it is important for Stakeholders to be able to provide input into the Measures via the Reliability Standards, specifically to ensure there are not additional Requirements inadvertently incorporated into the RSAWs. Since, there is no obligation for NERC to include comments from the Stakeholders in the RSAWs, we do not support moving the Measures from the Standards development process.
No
It has been our experience that the development of the VRFs and VSLs takes a significant amount of time and effort in the Standards development process. Since the resulting "benefit" does not outweigh the cost of this effort, we suggest these be eliminated.
No
While we agree with clarification on the use of Interpretations, we do not agree that the Interpretations are limited in the cases of "Where an issue can be addressed by an active standard drafting team." or "Where a question has already been addressed in the record." In the first instance, although we understand that duplication of effort is not desirable, it is not acceptable that a Responsible Entity may be found in violation and subsequently penalized while awaiting development of a standards development process. In the second instance, if there is a question that has been 'addressed in the record' we believe that this clarity should be incorporated into the Reliability Standard itself.
No
We believe the SC already has, and has previously exercised, the 'authority' to 'deviate' from the process. However, the current requirement is that the SC must report these 'deviations' to the CCC and Board. With this blanket waiver, the industry would lose the information that may be critical to understanding when and where the process may be broken and, therefore, needs to be deviated from.
1. The footer in the main page is erroneous, given the recent relocation of the NERC offices to Atlanta. 2. We believe there should be an obligation on NERC to file a Board-approved Standard with appropriate regulatory bodies within 30 to 60 days. 3. We believe that there should be a limit on the number of Additional Ballots that are required/can be performed, so that the Industry has an opportunity to appropriately affect the outcome of a Standards project through a rebalot. 4. We believe the VRFs and VSLs should be eliminated from the Standards Development Process. 5. We believe that the revision should include the changes to incorporate the formation of the Reliability Issues Steering Committee (RISC). 6. The annual solicitation of projects by NERC Staff is no longer needed and should be eliminated, we have a backlog of Standards Projects in the plan and there is no need to ask for more work in this area; if there is an identified reliability need, a SAR should be submitted. 7. The proposed elimination of the ability to appeal from the SPM is not acceptable. 8. We do not support addition of section 4.18 which appears to give the Board additional authority outside of Process; any withdrawals should go through the industry for balloting. However, if the decision is to move forward with the section there is a significant issue which can result from the process as written. The process does not consider the impact if another governmental entity, such as a Canadian entity, has approved the standards. This impact should be considered. 9. We do not support the proposed addition of the paragraph (in Section 7.0) which reads "The NERC Reliability Standards and Legal Staff shall review the final Interpretation to determine whether it has met the requirements for a valid Interpretation. Based on this review, the NERC Reliability Standards and Legal Staff shall make a recommendation to the NERC Board of Trustees regarding adoption." We believe this is the responsibility of the SC. 10. Section 7.0 - The statement "[i]f the Standards Committee accepts the Interpretation request, the NERC Standards staff shall form a ballot pool and assemble an Interpretation drafting team with the relevant expertise to address the interpretation." As written it could be assumed that the ballot pool is formed at the same time as the drafting team is assembled which is not the case according to Figure 2 Process for Developing an Interpretation. 11. Section 7.0 - It is unclear why the textual description of the processes for conducting the Quality Review and the Standards Committee approval were deleted from this section and replaced with "Interpretations will be balloted in the same manner as Reliability Standards." By deleting these steps, which occur prior to the balloting process, it could be implied that Quality Reviews will no longer be done and the Standards Committee will no longer approve Interpretations for posting. 12. We do not support the proposed addition of the paragraph (in Section 10.0) which reads

"NERC Board of Trustees may direct the development of a new or revised Reliability Standard to address a national security situation that involves confidential issues..." We believe this resides within the authority of FERC. 13. Sections 10.1 through 10.7 - Response to Imminent, Confidential Issue – This process has become a black box. There is not interface with the Standards Committee except at the Chair and Vice Chair level. It is unclear as to how people will be notified as to when they can register for the ballot pool, what are the processes to determine when the standards should be available for formal stakeholder comments, etc. It is unclear why there is no opportunity for an Additional Ballot if the drafting team makes considerable changes to the standards. 14. Sections 10.8 through 10.9 - Response to Non-imminent, Confidential Issue – Figure 4: Developing a Standard Responsive to a Non-imminent, Confidential Issue indicates the Standards Committee approves to post for Comment and Ballot (the first step 3). However, there is no mention in the textual description of the process that the Standards Committee will approve for posting. It is unclear why the Comment Period and Ballot may be abbreviated if the issue being address is not imminent (the second step 3). 15. Section 13.0 - We do not support the five-year review modification to ten-years. We believe that the five-year review, had it been enforced, we would be in a position that the Paragraph 81 initiative would not be a necessity. However, if the decision is to move forward with limiting the 5 year review to ANSI approved Standards, the Standards Process Manual should be updated to include a process that specifies how/when a BOT approved standard will be submitted to ANSI for approval. As noted in the rationale there are no standards submitted to ANSI. Without having a process in place identify standards for submittal to ANSI, by default all standards will move to a ten year review. 16. There appears to be contradictory language regarding establishing a quorum. These are both confusing and we suggest clarifying this language and making it consistent. 17. Section 1.4 – Under Balance bullet it indicates "[t]he Registered Ballot Body serves as the consensus body voting to approve each new or proposed Reliability Standard, definition, Variance, and Interpretation." Suggest this be changed to "approve or reject". Also suggest adding a statement that they approve or reject retirement of a Reliability Standard, definition, Variance, and Interpretation. 18. Section 1.4 – Under the new Metrics bullet it indicates that the standards apply in portions of Mexico. Section 1.3 indicates that the standards are applicable in the United States and through applicable authorities in Canada. There is no other mention of Mexico in the SPM other than the new section. If the standards are applicable in Mexico, we suggest additional conforming changes be made to the SPM where appropriate such as Section 3.7 Governmental Authorities, and Section 10 Process for Developing a Reliability Standard Related to a Confidential Issue. 19. Section 2.5 – The following statement was added. "The Components of a Reliability Standard may include the following." This statement would imply that none of the elements such as Title, Number, Purpose, Applicability, Effective Date, or even Requirement are required in a Reliability Standard. Though there are some items that may be included in a Reliability Standard such as Application Guidelines and Procedures there are some items that should always be required. The SPM should delineate between what is always required and what is optional rather than indicating everything is optional. 20. Footnote 5 – More information on where the Sanctions Guidelines of the North American Electric Reliability Corporation document is posted (such as the web page) would be helpful other than to indicate it is posted somewhere on the NERC Web Site. Also, we do not think it is appropriate to have footnotes embedded in footnotes. Footnote 6 is included in footnote 5. 21. Section 3.1 – We suggest that under the Board of Trustees the scope be expanded to include approval of retirements as well as withdrawals of Reliability Standards, definitions, Variances, or Interpretations to be consistent with other sections of the document. 22. Section 3.4 – New language was added to allow the Standards Committee to disband a drafting team. However, the SPM does not provide the next steps. It would be beneficial to outline the options available to the Standards Committee once they disband a drafting team, such as terminate the project, create a new team, place the project on hold, etc. 23. Section 3.6 (Drafting Team) indicates the drafting team may consist of technical, legal and compliance experts, while section 4.3 (Form Drafting Team) makes references to regulatory rather than legal. It would be appropriate to use consistent terminology. Also in section 4.3 there is no reference to including compliance experts. This seems inconsistent. 24. Section 4.1 through 4.3 – Appointing drafting team during the SAR process – It is unclear in reading these sections as to what conditions determine if a drafting team is/is not created to assist in developing the SAR. Additional clarification would be helpful. 25. Section 4.5 – The revisions remove the minimum duration of 30 days for informal comments. We recognized that there are situations such as webinar's, meetings, etc. where comments could be gathered in less than 30 days. However, we would recommend if the standard is posted for informal comments that a minimum guideline be included in the SPM for soliciting the informal comments. We believe in these situations, 30 days is a reasonable timeframe for soliciting informal written comments. 26. Section 4.6 – Indicates the quality review will be done in accordance with the Standards Committee's approved procedures for conducting Quality Reviews. We could not find where these procedures posted? On the Reliability Standards Resources web page we found the Draft Template for Quality Review of a NERC Reliability Standard but no procedures. We would also recommend that there be a set time limit from when the NERC Reliability Standards Staff receives a request to conduct a Quality Review to when the Quality Review is completed. 27. Sections 4.9 through 4.15 -- By removing the Initial Ballot reference in the SPM and then adding capitalized terms for Additional Ballot and Final Ballot has added confusion to the SPM. We would suggest: a) adding the Initial Ballot process back into the type of Ballots so there are no gaps in types of ballots; b) additional clarity be added to specify whether there can be one and only one Final Ballot; and c) additional clarity be provided by what is meant by not having to respond to comments in a previous ballot. 28. Section 5.1 – states the "[i]f the SAR identifies a term that is used in a Reliability Standard already under revision by a drafting team, the Standards Committee may direct the drafting team to add the term to scope of the existing project." In this situation it is unclear as to what happens with the SAR. Additional clarity on what happens to a SAR that is incorporated into an existing project would be beneficial. 29. Section 6.1 – What is meant by "the Standards Committee may direct the team to withdraw the SAR until the data has been collected and analyzed"? By withdrawing the SAR: a) is it rejected and a new SAR will need to be submitted; b) does it place the SAR in a hold status until the field test has been completed or; c) are their multiple options for what may happen when the SAR is withdrawn. Additional clarity on the available options to the Standards Committee would be helpful. 30. Section 9.1 Interconnection-Wide Variances makes an invalid assumption in that an interconnection-wide variance would be applicable to one Regional Entity and that the standards should be developed through that Regional Entity's NERC-approved Regional Reliability Standards development procedure. If there is a variance that is applicable to the Eastern Interconnection which Regional Reliability Standards development procedure should be used? 31. Advisor or Coordinator – in some instances the term advisor is used in one instance the term coordinator is used. Are these the same? If so, we suggest consistently using the same term. 32. References to NERC staff should be consistent. Sometimes the term NERC Reliability Standards Staff is used in some instances NERC Standards Staff is used. For example, see Section 7.0 third paragraph. 33. We recommend a thorough review of Reliability Standards Resources web page document references be conducted. We have found: • There are numerous references to documents found on the Reliability Standards Resources web page where the documents referenced in the SPM do not match the document names on the web page or the name in the document. For example, "market interface principles" is used in the SPM (section 2.3 and footnote 2). The document posted is Market Principles. • The SPM should also consistently use the same name when referencing a document. For example, the SPM sometimes uses "Ten Benchmarks of an Excellent Reliability Standards." Other sections reference "NERC's Benchmarks for Excellent Standards." • If a document is identified as being on the Reliability Standards Resources web page verify it is currently on the web page. For example footnote 23 indicates the NERC NAESB Template for Joint Standards Development and Coordination is posted on the Reliability Standards Resources web page. The same is applicable for footnote 24 which references the Process for Approving Data Collection and Analysis and Field Test Associated with a Reliability Standard. We could not find these documents posted on the web page.

Individual
J. S. Stonecipher, PE
City of Jacksonville Beach, FL dba/Beaches Energy Services
Yes

Yes
Yes
We support the concept; however, what almost causes us to cast a "negative" vote is footnote 7. Currently, the industry has control of the Measures as they are part of the balloted standard, albeit, the industry sometimes does not do a good job developing them. With footnote 7, ERO Staff will have unilateral right to change the Measures (and other Compliance Elements) that the industry as a whole currently controls. We believe this is inappropriate. So, while we agree with the concept, we disagree with the proposed governance of measures and retention at minimum which we believe should not be under the unilateral control of ERO Staff.
Yes
However, we encourage expedited action to develop alternatives to VSLs and VRFs.
Yes
Yes
Group
Associated Electric Cooperative, Inc. - JRO00088
David Dockery, NERC Reliability Compliance Coordinator
Agree
NRECA
Individual
Steven Wallace
Seminole Electric Cooperative, Inc.
Agree
NRECA
Group
Detroit Edison
Kent Kujala
Yes
No
On page 6- I disagree with the last part of the statement. the requirement to a add a comment to a negative vote should not be required. - A two-thirds majority of the weighted segmentSegment votes cast shall be affirmative. The number of votes cast is the sum of affirmative and negative votes with related comments or stated objections, excluding abstentions and, non-responses., negative votes without comments, and negative votes with unrelated comments. On page 27 under 4.11- requiring a comment for a negative vote is not acceptable
Yes
Yes
Yes
Yes
On page 7- definition of a Reliability Standard- change the wording of the beginning of the first sentence to read- a document containing one or more requirements to provide for the Reliable Operation of the Bulk Power System. REMOVE the following- including without limiting the foregoing, requirements for the operation of existing Bulk Power System Facilities, including cyber security protection, and including the design of planned additions or modifications to such Facilities to the extent necessary for Reliable Operation of the Bulk Power System, but the term does not include any requirement to enlarge Bulk Power System Facilities or to construct new transmission capacity or generation capacity. Leave the last sentence about FERC approval.
Individual
Kathleen Goodman
ISO New England Inc.
Agree
We support the comments submitted by the ISO/RTO Council Standards Review Committee (SRC)
Group
Western Small Entity Comment Group
Steve Alexanderson P.E.
No
The comment group objects to summary comment responses. We note that summary comment responses have already been used by some teams, and we find that our comments are not always summarized properly. When the team continues to provide a response, we find they may have not addressed our concerns at all. We fail to see how the summary response will result in an efficiency gain, since more ballots and comment periods will be needed to gather the needed affirmative votes.
Yes
The comment group agrees, but is concerned how no votes without comments are determined. It is no longer possible to submit comments

along with a ballot; a separate process must be used. In addition, a balloter may rely on comments submitted by someone else within the same entity, another entity, or comments submitted by a group of entities. The individual name may not be present in the entity comments, or may have altered spelling if listed in group comments. Variations of entity names may also differ from ballot to comments. We expect these issues have or will be addressed.
Yes
Yes
No
The comment group agrees that non-technical questions do not require the formation of a drafting team, but the revised SPM provides no alternative path to address such questions. The comment group would also like to point out that the Applicability sections of some of the proposed standards are getting very technical, and can see that entities may need clarification on applicability as well as on the requirements.
Yes
Individual
David Jendras
Ameren
No
A summary response would be acceptable as long as all responses are easily searchable under the commenting entity's name; otherwise, there would be no easy way to learn of response to individual comments and also to compile responses to entity's comments to disseminate internally to SMEs.
Yes
Please consider adding a pop-up window on the web portal to remind the voter that he/she is about to submit a 'no' vote without comments and as such the vote will only be counted in the calculation of quorum, and not in the calculation of consensus".
No
(1) Because the RSAW including the measures would be subject only to a non-binding poll, and the SDT is not required to respond to stakeholder comments we provided for the RSAW/Measures. Therefore, we prefer measures to continue as a part of the standard. (2) We also want to guard against additional requirements which may creep into the RSAW/Measures resulting in a scope change of the standard with a non-binding vote.
Yes
We believe this is a step in the right direction at this time, and we also encourage efforts by the SDT to move towards a more effective solution for eliminating them from the standards process.
No
The proposal and its intent are good, but without further details (transparency criteria) we cannot support it at this time.
No
The waiver provision is not necessary because the NERC Rules of Procedure already has a process for this scenario. (2) It seems to us that the revision now have the BOT and stakeholders' involvement at the end of the process rather than at the beginning. We believe that the approval for the use of the waiver process for a specific reason should get necessary approval (buy-in) from stakeholders and BOT before SC starts using the process to revise or develop a new standard. (3) Has the SDT confirmed that the waiver proposal would be within the ANSI process?
We are ok with having a legal review up front to develop a clear and unambiguous standard. However, we are not sure if the proposal implies one lawyer for each SDT as a member of the team or is this referring to one or two lawyers to be available to all the SDTs working in parallel and provide a review when the draft standard is approaching the final quality review of a standard.
Individual
Tracy Sliman
Tri-State G & T
No
The SCPS should retain the concept of including 'no' ballots in the calculation of the consensus.
No
This is only acceptable if the RSAW is available as a part of the standard, otherwise the entity may not have ready and reasonable access to the expected evidence to show compliance.
Yes
An explanation box for Section 3 (p 12) indicates that the VRFs and VSLs are being removed from the standards in this draft. Section 4.4.4 also indicates that the VRFs and VSLs will be developed by the drafting team. Why are VRFs and VSLs removed from the third line of Section 4.8?
No
The use of a waiver will result in a violation of the NERC's ANSI approved standards development process and eliminates the full participation of the industry in standard development. The expedited standards development process should be revised to address the concerns, or alternative methods should be considered such that the industry is still allowed to participate in the standard development process and expedited requirements, when needed.
There is inconsistency on who the drafting team works with to develop the RSAW. Section 3.6 states that the drafting team "(w)orks collaboratively with NERC Compliance Staff to develop Reliability Standard Audit Worksheets ("RSAWs") at the same time Reliability Standards are developed." But section 3.10 states that "Compliance Monitoring and Enforcement Staff are responsible for the development of

<p>RSAWs." While this may indicate the same NERC staff, we believe that the language should be consistent. If voting "Negative without comment" is not possible (Section 4.11), then that exclusion from calculation of the consensus should be removed.</p>
<p>Group</p>
<p>SPP Standards Review Group</p>
<p>Robert Rhodes</p>
<p>Yes</p>
<p>While we understand the necessity of streamlining the process by cutting down on the number of responses made to comments, making this change leaves the impression that consideration for all comments received may not be given. We are accustomed to seeing responses to our comments posted in the next draft of a standard. However, the SPM does provide encouragement that all comments will be considered.</p>
<p>Yes</p>
<p>Yes</p>
<p>We very much appreciate the effort to include the drafting teams in the development of the RSAWs in conjunction with NERC compliance and enforcement staff. This will work great on the initial development of the standard and associated RSAW. We do have concerns that down the road there may be changes to the RSAW such that it may no longer be compatible with the standard. The only way to ensure that the content of the RSAW remains consistent with the standard is to involve the drafting team whenever changes are made to the RSAW.</p>
<p>Yes</p>
<p>Yes</p>
<p>Yes</p>
<p>No additional comments.</p>
<p>Individual</p>
<p>Jim Howard</p>
<p>Lakeland Electric</p>
<p>Agree</p>
<p>FMPA</p>
<p>Group</p>
<p>PPL Corporation NERC Registered Affiliates</p>
<p>Brent Ingebrigtsen</p>
<p>Yes</p>
<p>Yes</p>
<p>The PPL Companies appreciate the work of the drafting team as it tries to create a process that encourages stakeholder participation in creating Standards that are carefully contemplated and well drafted. While the PPL Companies prefer that all 'no' votes be counted, regardless of whether they are accompanied by comments, we can support counting only those 'no' votes that are accompanied by comments, as long as there is not any 'litmus test' regarding the relevance of the comments. We believe that the approach for evaluating the relevance of comments does not require additional clarification (as stated in the question above), as this evaluation is unnecessary and should be removed entirely from the process. The PPL Companies also support the utilization of a tool that would alert submitters to the fact that they are submitting no comments along with their ballot, and to the consequences of such an action.</p>
<p>No</p>
<p>The PPL Companies believe it is important for Stakeholders to be able to provide input into the Measures via the Reliability Standards, specifically to ensure there are not additional Requirements inadvertently incorporated into the RSAWs. Since, there is no obligation for NERC to include comments from the Stakeholders in the RSAWs, the PPL Companies do not support moving the Measures from the Standards development process.</p>
<p>Yes</p>
<p>No</p>
<p>The PPL Companies support the intent and the majority of the changes to this section, but suggest a change in the last sentence of the first paragraph of Section 7.0. Since not all NERC Board of Trustees-approved Standards have a future effective date in the United States, we suggest changing the language to state, "Interpretations will only be provided for Board of Trustees-approved Reliability Standards, and only for the current effective or later versions of the Reliability Standard." Also, while the PPL Companies agree with clarification on the use of Interpretations, we do not agree that the Interpretations are limited in the cases of "Where an issue can be addressed by an active standard drafting team." or "Where a question has already been addressed in the record." In the first instance, although we understand that duplication of effort is not desirable, it is not acceptable that a Responsible Entity may be found in violation and subsequently penalized while awaiting development of a standards development process. In the second instance, if there is a question that has been 'addressed in the record' we believe that this clarity should be incorporated into the Reliability Standard itself. The PPL Companies do not support, as it is currently written, the proposed addition of the paragraph (in Section 7.0) "The NERC Reliability Standards and Legal Staff shall review the final Interpretation to determine whether it has met the requirements for a valid Interpretation. Based on this review, the NERC Reliability Standards and Legal Staff shall make a recommendation to the NERC Board of Trustees regarding adoption." We would support language that made clear "the requirements for a valid interpretation" that the NERC Staff would be using and language that clearly stated that the NERC Staff would only be using such limited requirements in determining its recommendation.</p>
<p>No</p>
<p>The PPL Companies believe the Standards Committee already has, and has previously exercised, the authority to deviate from the process. However, the current requirement is that the SC must report these deviations to the CCC and Board. We would support language in this section that more clearly stated the current process, while leaving in place the current requirements for reporting to the CCC and Board.</p>

The PPL Companies believe that there should be a limit on the number of Additional Ballots that are required/can be performed, so that the Industry has an opportunity to appropriately affect the outcome of a Standards project through a rebalot. Alternatively, there could be a procedural mechanism that would allow the industry to 'finalize' its rejection of a Standard or the need for a Standard. Section 1.4 – Under Balance bullet it indicates "[t]he Registered Ballot Body serves as the consensus body voting to approve each new or proposed Reliability Standard, definition, Variance, and Interpretation." Suggest this be changed to "approve or reject". Also suggest adding a statement that they approve or reject retirement of a Reliability Standard, definition, Variance, and Interpretation. The PPL Companies support the changes the drafting team is making and believes that the changes will help the Standards drafting process. The drafting team has made excellent progress in refining the drafting process based upon the SPIG recommendations. In fact, the PPL Companies are committed to voting Affirmative to proposed changes that include the suggestions we have made in these comments.

Group

FirstEnergy

Larry Raczkowski

Yes

Yes

Yes

FirstEnergy (FE) supports the new process that has the SDT and NERC Compliance Staff working collaboratively to develop the RSAW at the same time that the Standard is being developed.

Yes

Yes

Yes

FE supports the addition of Section 16.0, however, the phrase in the third bullet that begins with "or is so insubstantial" is confusing. Is this referring to an errata change only? Or is it referring to a 'rapid fix'? this should be more clearly defined.

Recommendation #5 states that in part "Formal and consistent project management". FE agrees that this is the key to an efficient process and the NERC Staff will improve. but it is not clear in the SPM as to how this will be accomplished? Will there be specific project management tools provide to NERC Staff? FE believes that in Section 2.5 Elements of a Reliability Standard should include as on one the components the Version History of a Standard. This would be useful information for determining the changes/revision between versions of a standard.

Individual

Angie Sheffield

Georgia Transmission Corp.

Agree

NRECA - Barry Lawson

Individual

Terri Pyle

Oklahoma Gas & Electric

Yes

We understand the need to streamline the stakeholder process; however, the responses to comments can provide valuable information. We are in support of one response for multiple comments that are similar and that the option of not responding to comments be used only when significant changes are needed and additional ballots are conducted.

Yes

No

After further review, we prefer that measures be included in the Standard instead of the RSAW. We do support the RSAW development during the drafting of the Standard since those two documents should be lock-step.

Yes

Yes

No

We do not support Section 16.0 which provides a waiver to allow for a revision of a Standard, definition, Variance, or implementation plan to meet an urgent reliability issue. The circumstances in which this waiver would be allowed are outlined as (1) meet regulatory deadlines, (2) meet deadlines imposed by the NERC BOT, or (3) SC determine the modification has already been vetted. These circumstances do not seem to meet the initial statement of "to meet an urgent reliability issue". We do not consider regulatory deadlines to be urgent reliability issues.

Individual

Daniel Duff

Liberty Electric Power LLC

Yes

Yes

1. There is still language in the section on rationale which discusses the 'relevance' of a comment. this should be deleted. 2. Current

comment procedure requires the submission of a comment form outside of the voting process. The disqualification of no votes without comment should not occur until there is a process for submitting comments during the vote. Further, comment forms have been quite lengthy at times with dozens of questions. There needs to be a simple method of commenting which assures a commenter will have his no vote counted. Comment forms such as the CIP form, which covers multiple standards, should be disallowed so there is no confusion in this process.
Yes
While supportive of this provision, I do note moving the measures from a binding vote to a non-binding poll could cause problems in the future.
Yes
Yes
Yes
There are concerns with the inclusion of the "to meet a timeline set by the NERC BOT" as a waiver condition. The potential remains for the BOT to set deadlines without a compelling need (see COM-003).
Individual
Michael Falvo
Independent Electricity System Operator
Yes
Yes
Yes
Yes
Yes
No
We do support the addition of the Waiver section, recognizing that this particular section proposes a provision to cover only urgent reliability standard revisions, and not emergency situations requiring immediate action. We believe clear distinction and separation, possibly supported by separate processes, should be made between an urgent situation requiring an urgent standard development and an emergency situation requiring an immediate action. An emergency reliability standard revision procedural step would give the NERC Board the authority to act on its own motion to address an issue on an interim basis immediately, with a follow-on process to then review and address the issue on a more regular timetable. However, all standard /definition/variance/implementation plans approved under such a fast track process must be subjected to peer review and balloting for it to become an enduring part of the NERC standards/definitions/etc.
Typo: In section 5.2 in the redline SPM version, somewhere in the middle of the first sentence should read "... and a quality review..."
Individual
Bob Thomas
Illinois Municipal Electric Agency
Agree
Florida Municipal Power Agency
Individual
Clay Young
South Carolina Electric and Gas
Yes
No
All votes should be counted in the calculation of consensus.
Yes
Yes
Yes
No
The current expedited standards development process should be retained. The use of waivers is not consistent with the ANSI process and should be rejected. The use of a waiver will result in a violation of the NERC's American National Standards Institute (ANSI)-approved standards development process. Reporting the use of a waiver prior to the Board of Trustees (BOT) adopting a standard is unacceptable. The exercise of the waiver and BOT approval may be separated by years of work by the both the Standards Committee (SC) and the standards drafting team (SDT). Each exercise of an SC waiver should have BOT finality so that the BOT will not be pressured to approve any waiver, regardless of the facts, in order to not reject the substantial body of work that has followed the exercise of the waiver by the SC. At a minimum, waivers to the SPM should be preceded by the following: a. The posting of an SC document to the RBB that describes the reason for the requested waiver, including the threat to reliability, and what processes would be affected by the waiver. b. A short (10 day) period

for accepting RBB comments. c. After comments are received, the SC may either withdraw the waiver or request its expedited approval by the NERC board, ensuring that the board is supplied with the comments received. This entire process proposed above could be completed within 30-45 days, causing a minor delay for the hopefully rare exercise by the SC of waiving an SPM provision. The present SPM has an "expedited standards development process" that was stricken. However, the ROP section 300 (Reliability Standards Development) requires that process. The SPM should retain that; without it in the SPM, NERC cannot respond to a request from a governmental authority for expedited development of a standard. The SPM therefore needs to retain that procedure, unless the SPM procedure is waived, which is the next topic. If this provision were reinstated, the use of a waiver process would be minimized since the expedited process would be a provision of the SPM.

Individual

Thomas Hanzlik

SCE&G

No

All votes should be counted in the calculation of consensus.

No

The current expedited standards development process should be retained. The use of waivers is not consistent with the ANSI process and should be rejected. The use of a waiver will result in a violation of the NERC's American National Standards Institute (ANSI)-approved standards development process. Reporting the use of a waiver prior to the Board of Trustees (BOT) adopting a standard is unacceptable. The exercise of the waiver and BOT approval may be separated by years of work by the both the Standards Committee (SC) and the standards drafting team (SDT). Each exercise of an SC waiver should have BOT finality so that the BOT will not be pressured to approve any waiver, regardless of the facts, in order to not reject the substantial body of work that has followed the exercise of the waiver by the SC. At a minimum, waivers to the SPM should be preceded by the following: a. The posting of an SC document to the RBB that describes the reason for the requested waiver, including the threat to reliability, and what processes would be affected by the waiver. b. A short (10 day) period for accepting RBB comments. c. After comments are received, the SC may either withdraw the waiver or request its expedited approval by the NERC board, ensuring that the board is supplied with the comments received. This entire process proposed above could be completed within 30-45 days, causing a minor delay for the hopefully rare exercise by the SC of waiving an SPM provision. 3) The present SPM has an "expedited standards development process" that was stricken. However, the ROP section 300 (Reliability Standards Development) requires that process. The SPM should retain that; without it in the SPM, NERC cannot respond to a request from a governmental authority for expedited development of a standard. The SPM therefore needs to retain that procedure, unless the SPM procedure is waived, which is the next topic. If this provision were reinstated, the use of a waiver process would be minimized since the expedited process would be a provision of the SPM.

Individual

Eric Salisbury

Consumers Energy

No

Consumers Energy believes it is best for the drafting team to respond to all comments as a normal course of action, as it is then clear to the commenting entity exactly what was done/not done to address their concerns. Also, an explanation of why the drafting team disagrees with a comment may clear up the reason for the comment so the entity making the comment does not carry it forward.

No

At this time, NERC's ballot tool does not include a mechanism for direct comments with the ballot. It has been stated that a new tool will be in place by the time these revisions take effect. However, until the tool is in place, there is no way to know for certain that the balloter will be able to directly attach comments to their ballot. Therefore, it is still feasible that a negative ballot would be submitted and that NERC would be unable to locate the related comments, thus rendering the ballot as 'no vote' for purposes of calculating the consensus.

Yes

Consumers Energy believes that where substantive changes are made, quality review should still be performed. Though this is a time consuming process, we believe it is better than a standard which does not meet all the necessary criteria being approved, presented to FERC, then returned for additional work.

Individual

Steven Powell

Trans Bay Cable LLC

No

Having reviewed summarized comments posted from other standards, knowing the original comment provided and reading the "summarized" version, the meaning and intent of the original comment was lost. Comments should be posted as they are submitted.

No

If industry isn't empowered to have a right for a "NO" or "Negative" vote to have the same weight as a yes vote, regardless of comments, it's no longer a "vote" and we are simply ceding all the authority to the drafting team and NERC when the intent of the legislation was for industry-approved standards. We realize and understand the guiding standards developed by other organizations adhere and support not counting "NO" votes without comment, but as stated by many the other industry standards are only guidelines and carry no punitive

damages. Since NERC standards can and do carry punitive damages all registered voting entities should retain their voting rights to vote for or against any standard or revision without comment.

Yes

Yes

Yes

No

There is not enough checks and balances in the current proposed changes to ensure that the SC will not abuse this ability.

Individual

Patrick Brown

Canadian Electricity Association

CEA wishes to raise one issue, which was briefly addressed by the SDT and the SCPS in the consideration of comments from the first comment period. The SPM revisions include new language in Section 4.9, which reads as follows: "If the last day of the ballot window falls on a Saturday, Sunday or federally-recognized United States holiday, the period does not end until the next business day." In response, a CEA member requested that equal consideration be given to statutory holidays in Canada. In its official consideration of comments, the SCPS said that adding more holidays to the calendar of days when a ballot or other action cannot close would be "counter to the SPIG recommendations which are calling for improvements to shorten the process." As the national representative of NERC members and registered entities in Canada, CEA calls on the SDT and SCPS to re-consider. CEA acknowledges that this issue may appear to be a minor one; however, we believe that it is a matter of principle for an international organization like NERC, which is accountable to members and governmental authorities in both the United States and Canada. NERC should seek to afford equal consideration to the interests, concerns and - in scenarios such as this - customs of its stakeholders on either side of the border. CEA finds the SCPS' argument to be unpersuasive and unreasonable. We request that the language in Section 4.9 be modified, as follows: "If the last day of the ballot window falls on a Saturday, Sunday, federally-recognized United States holiday, or holiday in the majority of Canadian jurisdictions, the period does not end until the next business day."

Individual

Don Schmit

Nebraska Public Power District

Agree

MRO NSRF (Midwest Reliability Organization - NERC Standards Review Forum)

Group

JEA

John Babik

Yes

Yes

Yes

Yes

Yes

Yes

JEA is supporting the waiver provision with the understanding that the balloting, quorum and approval requirements in the manual cannot be waived. Further, JEA suggests the language related to the waiver be changed to more clearly reflect this. For example, the second paragraph of 16.0 could be changed to say "...may waive any of the provisions in this manual except the balloting and the quorum provisions..."

Group

Edison Electric Institute

David Dworzak

On behalf of our member companies, the Edison Electric Institute (EEI) appreciates the opportunity to provide the following brief comments on the process changes being considered in conjunction with recommendations made by the Standards Process Input Group (SPIG). EEI looks forward to significant process efficiency gains as a result of the full implementation of the SPIG recommendations. Section 16: Waiver Provision This is unnecessary. Full implementation of SPIG recommendations will eliminate need for waiver of any standards development process steps. As a general matter and to correctly align various responsibilities, EEI supports full ownership of the technical content of standards development projects by the various drafting teams and stakeholders through comments and balloting, and process oversight by NERC management. In comments to SPIG, EEI asked that the confusion over process oversight be resolved once and for all. NERC has the responsibility to deliver proposed standards to FERC and should have the tools to ensure timely responses. If problems develop that challenge timely project completion, drafting teams and NERC management need to efficiently resolve the matters. In addition, EEI envisions much stronger and more disciplined process oversight than has been practiced in some projects in the past, which should eliminate the problem. Instead of anticipating such a problem, EEI challenges NERC and all stakeholders to make strong commitments to develop and execute plans that define specific milestones and deadlines that ensure timely development. Waiving process steps for 'insubstantial' matters is a slippery slope that NERC should avoid. Moreover, there is case precedent that NERC has filed with FERC various 'minor modifications' that were not returned to the standards development process for balloting. The boundary for determining 'insubstantial' should be carefully considered and clarified from legal and regulatory perspectives before a final decision is made. Operations Sanctions Table As part of its April 2012 report, SPIG recommended that "redundancies" such as VSLs be eliminated. In response to this recommendation, as part of the Standards Committee Process Subcommittee (SCPS) white paper issued in June, the SCPS agreed with the elimination of VSLs but also suggested the elimination of VRFs from standards in favor of a "sanctions table". The SCPS proposed that this sanctions table would replace the existing base sanctions table contained in the Compliance Monitoring and Enforcement Program (CMEP) manual. EEI understands that the proposal framed in the NERC process subcommittee 'white paper' and the proposed draft process manual to be that VRFs and VSLs would no longer be defined as 'essential elements' of a standard, but would remain part of the standard development project. Under the proposed Standards Process Manual, it appears that the drafting team will work with NERC staff in developing a set of VRFs and VSLs that will be subject to a non-binding poll. Ultimately, the VRFs and VSLs will be presented to the Board of Trustees for adoption. On the surface, the draft proposed Standards Process Manual would appear to agree with the underlying process efficiency objective. However, the proposal is confusing for several reasons. First, contrary to the SPIG recommendation to remove only VSLs as redundant and the SCPS recommendation to eliminate both VRFs and VSLs, the proposed Standards Process Manual states that VSLs and VRFs will still be developed, but will be developed in parallel with the drafting team project scope. Thus, this proposal does not appear to create more efficiency. Further, we do not see a clear alternative process proposal for the development of VSLs and VRFs, and it is important to have an understanding of where and how these variables will be defined. Second, SPIG did not recommend the development of a sanctions table. The purpose of these proposed changes is to address SPIG's recommendations, not to confuse and complicate the process by retaining both VSLs and VRFs and adding the new SCPS-proposed sanction table. While we understand that there have been informal discussions on developing such a table, the addition of this material to the SPIG project does not fit with our sense of 'eliminating redundancies.' In addition, the white paper seems to conflate the VSL/VRF process issue with the development of the sanctions table. Certainly, SPIG did not recommend the development of a sanctions table. Therefore, because the proposed Standards Process Manual fails to clearly address SPIG's concerns regarding VSLs, there is a lack of clarity regarding how VSLs and VRFs will be developed and there is uncertainty regarding the sanctions table. EEI recommends that the sanction table not be adopted and the VSLs remain in place until further clarification can be provided by SPIG as to how to address this issue.

Handling 'No' Votes The handling of 'no' votes is a matter that has attracted significant attention. SPIG recommended that the ballot process should use all votes to establish quorum, and provide options for 'no' votes, including changes to the balloting and commenting process that would help useful comments. For example, many comments will briefly state a broad negative comment without showing the specific language of concern, or offering a constructive alternative that the commenter could support. The proposed process change is to disallow simple 'no' votes without comments for purposes of determining final ballot counts. EEI does not understand the logic that moves from the SPIG recommendations to the process proposal to disallow simple 'no' votes, and cannot support the proposal. We understand that SPIG seeks to move the process in the direction of having the balloting and commenting process to provide as much substantive feedback as possible. Irrelevant comments or negative votes unaccompanied by comments do not offer helpful feedback, however, it should be a relatively simple matter to address such comments very quickly. EEI recommends that appropriate software changes be designed and implemented as soon as possible that will help gather more focused comments. A simple 'no' vote should be allowed to count both for determining quorum and final ballot count. Finally, somehow we need to find a way to work around the apparent timing issues for making necessary software changes. This should not be a binding constraint on making these important process changes.

Group

ACES Power Marketing Standards Collaborators

Jason Marshall

No

(1) We simply do not believe that this proposal will have the intended effect of shortening the standards development process. In fact, we believe it will actually lengthen the standards development process in some cases. (2) While the proposal conceptually sounds like a reasonable approach, we are concerned that the actual implementation will result in comments that are not considered appropriately. We have observed that many drafting team's have provided responses to our comments that have indicated they did not fully understand the comments. This results in issues that are raised repeatedly in the future comment phases. The current requirement that a drafting team has to respond to all comments creates a discipline that each comment is at least considered on a cursory basis. This proposal eliminates that discipline which means that comments will be even less likely to be given full consideration. While we understand that comments for some projects (CIP for example) have been so numerous that this approach is not workable for every project, we believe that responding to every comment in writing in most projects is still very manageable. This is especially true if the work is divided up among drafting team participants. Furthermore, even if the drafting team proposes a significant change that will result in an additional ballot per 4.13, we believe it makes sense to respond in writing to all comments to explain how the significant change addresses the comment. Otherwise, the same comment may be re-submitted to the drafting team during the next ballot. (3) The current standards development process has essentially become a "bring me a rock exercise". The drafting team responds to comments and then posts for formal comment and ballot during the next phase. Commenters then submit additional comments often indicating some intricacy of the same or similar issue that the drafting team has not considered fully. Essentially, they say either you did not understand our comments or the proposed changes don't fully address our comments. For major issues, we believe a better approach would be for the drafting team to reach out to commenters in between postings to ensure that the response to comments will address the issue. While this might slightly increase the time in between postings, it is likely to result in fewer postings which results in greater efficiencies. Because NERC requires the commenter to provide contact information when submitting comments, we cannot see any reason this outreach should not occur for the typical standards development effort.

No

(1) We believe that comments in response to the last posting indicated little support for discounting 'no' votes for any reason. Given the comments, we believe the drafting team should eliminate any plan to discount negative votes for any reason until evidence and analysis is presented that demonstrates that 'no' votes without supporting comments has delayed the standard development process significantly. (2)

We disagree with counting discounted 'no' votes towards quorum. Some 'no' votes appropriately will not provide constructive feedback for how to improve the standard simply because the ballotter believes the standard is unnecessary. Such a ballotter may simply choose not to provide a comment because it only slows the drafting team down because they have to respond to the comment. It would be totally inappropriate to discount such a 'no' vote and then count it towards quorum.

Yes

We support the proposal as long as the RSAWs provide real guidance on how compliance will be measured. If the RSAWs become like the measures and some of the current RSAWs by simply repeating the requirement, we would not support the proposal. Furthermore, we request that a link to the RSAW be included in the standard for ease of reference.

No

We can find little correlation between actual penalties and VRFs and VSLs. As a result, we cannot support their continued use in the current form. There have been many proposals to modify the process by which VSLs and VRFs are developed. These proposals have ranged from complete elimination to developing pro forma VSLs that would be used for every requirement to developing a spreadsheet tool that outputs VRFs based on a series of questions. We do not understand why one of these proposals cannot be piloted. Industry and drafting teams simply spend an inordinate amount of time developing and commenting on VSLs. The amount time spent is simply not commensurate with the impact on reliability.

Yes

Overall, we think the section will be helpful but do note a one issue. While we agree that it would be useful for the interpretation drafting team to develop a SAR for a reliability gap that they identified, we disagree with the language in this section that states they must do this. The team members were nominated to fulfill a purpose which is the interpretation of a standard. They were not nominated to write a standard. While many interpretation drafting teams may wish to submit a SAR, team members may decide that it is beyond their commitment and they simply do not have the time. Development of a standard is more time consuming than interpreting a standard.

No

We cannot support the waiver section in its current form. It is simply too broad. First, the third bullet causes us particular concern. The Standards Committee (SC) and many drafting teams have misinterpreted industry support for modifications of a standard, definition, etc. many times in the past. Thus, based on history, we are not convinced that the SC could accurately determine that a modification has been fully vetted or that the change is so insubstantial on behalf of industry without a ballot. If the purpose of a waiver for an insubstantial change is to streamline errata changes, we suggest this bullet should be modified to state this directly. Second, contrary to the explanation associated with this question, the waiver section simply does not reflect that the Standards Committee (SC) will only utilize the waiver if the BOT supports the use of the waiver. It only requires the SC to report the use of the waiver to the BOT. Furthermore, waiting for approval from the NERC BOT would only slow down the process anyway which defeats the purpose of the waiver. Third, we do not understand what is driving the need for the waiver section. We are not aware of any regulatory deadline for development of a standard that NERC has failed to meet under the existing process.

(1) In section 1.4 on page 3, we suggest documenting that not only does Section 304 of the NERC Rules of Procedure compel an open and transparent standards development process but the Energy Policy Act of 2005 compels the same. Specifically, the statute requires "reasonable notice and opportunity for public comment, due process, openness, and balance of interests in developing reliability standards". (2) While section 3.4 clarifies that the Standards Committee (SC) has the authority to remand, reject, or accept the work of the drafting team, we suggest that the SC develop guidelines or criteria for why they do so. This will avoid conflicts of interest in which SC members may not like the outcome of a perfectly valid standard. (3) We suggest the SC develop criteria and guidelines for why a standard will be developed. Just because a SAR is presented does not mean it is wise to develop a standard. The bar for submitting a SAR is not very high. There are many reliability issues that can be addressed outside the standards development process in a more expeditious fashion. For example, NERC alerts, lessons learned, partnering with the North American Transmission Forum and North American Generation Forum among other outreach initiatives can be used to address reliability issues rapidly. We have heard some say that a standard needs to be developed for key issues because "industry won't do it without a standard". If a standard always compelled the exact reliability behavior that FERC and NERC desire, there would be no standard violations. We obviously know that is not the case. Sometimes, industry (despite wanting to do the right thing) simply does not understand what is expected which further supports the need for other types of outreach besides developing a standard. The bottom line is that the criteria can't be that a standard is the only way we can compel the desired reliability outcome because numerous violations clearly indicate that standards often do not work. (4) Section 3.6 clarifies that the SC shall appoint industry experts to standards drafting team and NERC "shall appoint drafting teams that develop Interpretations." We suggest that the language regarding NERC appointing interpretation drafting teams to be made clear that NERC is appointing industry experts as well. (5) Several of the rationale boxes were truncated. We were not able to deduce the full rationale of the changes proposed by the SC as a result. (6) The language that a SAR can be rejected "for good cause" in Section 4.1 needs to be expanded. We suggest the SC develop criteria for what constitutes good cause. These criteria should be included in this standards process document or it should be referenced. (7) Sections 4.2 and 4.3 need to be further expanded to clarify that SC will only use another process besides public nomination for selecting a drafting team in extraordinary circumstances. The public nomination process should be used for nearly all standards development efforts. Furthermore, we suggest that the SC should develop criteria or a process for identifying when the public nomination process may not be used. For example, the only times we can fathom that another process would be used would be for a confidential issue related to national security that would require necessary security clearances or to address an aggressive regulatory deadline that is likely related to an imminent threat to reliability and time does not allow for the use of public nomination. (8) Section 4.2 clarifies that the drafting team will determine if there is support for a SAR. Without a ballot, how can the drafting team possibly gauge support? There have been many draft standards that receive little support despite the belief by the standards drafting team that they have developed a standard that is supported by industry. They only discovered the lack of support during the ballot because comments can be submitted by more than just the registered ballot body and can simply be misinterpreted (9) Section 4.6 states that the detailed results of the quality review shall be provided to the Standards Committee. We do not believe that is actual practice. We believe the quality review is only provided to the standards drafting team. If this is correct, we suggest modifying the section accordingly. (10) Section 4.15 should clarify under what circumstances a SC will decide to continue working on a standard that has failed the Final Ballot. There should be a high bar such as satisfying a regulatory deadline for the SC to do this. If the Registered Ballot Body has determined a proposed standard is not satisfactory by voting the standard down, continuing to develop a standard does not reflect their authority in the process. This authority should only be overridden by a higher body such as FERC through a regulatory deadline. After all, this is supposed to be a final ballot. It is not truly a final ballot, if more actions will be directed by the SC.

Individual

dmason

HHWP

No

No

This proposed handling of makes a ballot pool member non-response a more powerful negative voice than a "'no' votes without comments". A "'no' vote without comments" supports the development of a quorum and has no value in the majority vote count, whereas a ballot pool member non-response works against adoption through obstructing the development of a quorum.

Yes

Yes

Yes

No

I agree with the comments and the alternative waiver proposal made by PSEG.

-Comment A- Can the SPIG please check the Rational provided for Section 2.5. It does not appear relevant. Rationale: Section 2.5 has been updated to reflect the SPIG recommendation that redundant elements of a standard be eliminated, as well as a recommendation that all standards developed be results-based. -Comment B- Language in Sections 4.15 and 4.16 of SPM should clearly indicate that Reliability Standards are only filed with the Applicable governmental authority if approved by NERC BOT, not upon BOT consideration. Section 4.15 If the Reliability Standard is approved, the Reliability Standard shall be posted and presented to the Board of Trustees by NERC management for adoption and subsequently filed with applicable governmental authorities for approval. Section 4.16 ...the Board of Trustees shall consider adoption of that Reliability Standard and its associated implementation plan and shall direct the standard to be filed with applicable governmental authorities for approval.

Group

National Rural Electric Cooperative Association (NRECA)

Barry Lawson

No

NRECA strongly urges the SC to rethink the provisions related to SDT comment response processes. NRECA requests that the SPM be revised to require, not only encourage, a SDT to post a summary response that identifies how it used stakeholder comments in informal comment periods. Otherwise commenters will not know whether and how their comments were considered until possibly the end of the process. NRECA also strongly urges the SC to revise the SPM to require individual, not summary, comment responses during the final formal comment period. If these provisions are not addressed carefully, it could limit, or appear to limit, the ability of stakeholders to effectively participate in the standard development process. This could potentially bring about an increased number of appeals submitted to NERC due to stakeholders not believing their comments were properly addressed and responded to.

No

The elimination of Measures from the standards and effectively replacing them with RSAWs creates several issues of concern. With Measures currently a part of the standard there is certainty of these provisions since they cannot be changed outside of the standard development process. RSAWs, on the other hand, are controlled by NERC compliance staff and they can be updated outside of the standard development process. NRECA is concerned that after the proposed SDT role of working collaboratively with NERC compliance on RSAW development, the RSAWs can be revised without the consultation and straw poll provisions of the proposed SPM. There is currently no assurance that NERC compliance will work to avoid revising the RSAWs after the SDT's role is complete. One possible solution if the SDT is no longer in place to perform this task would be to seek SC concurrence with any future RSAW changes. Additionally, it's still unclear what the roles are for NERC staff and the SDTs regarding RSAW development. NRECA requests that further structure be added to the SPM on the respective roles of NERC compliance and the SDTs regarding RSAW development. Without this NRECA is unsure of the role that SDTs will have in this important role. Footnote 7 – The inclusion of the word "technically" potentially creates confusion as it is used here to qualify whether something is part of a standard or not. Something is either part of the standard or not – eliminate the word "technically" from the second line of the footnote. Footnote 33 – In the second line it states that the RSAWs "may" have a non-binding poll. NRECA requests that this be revised to require that a non-binding poll on RSAWs be conducted, similar to how VSLs/VRFs are handled today.

NRECA is not clear on why an interpretation can't be done for the reason listed in item 2. Please support this provision or delete it. Also, in item 8, NRECA requests that clarification be added to the SPM on who determines whether the meaning of a Reliability Standard is plain on its face. In the second to last paragraph of Section 7.0, in the second line after "Based on this review," add "and after passing industry ballot" to clarify this language.

No

NRECA presumes that the elimination of expedited standards development process is being done in conjunction with the addition of Section 16 that provides for waiver authority. While the expedited process has its complications, NRECA believes it would troublesome to eliminate this section from an optics point of view. NRECA requests that the expedited process be revised to address the existing problems and eliminate, or significantly limit the provision of the proposed overly broad waiver section. Having a formal expedited process shows FERC and Congress we are prepared to move very quickly if needed and that we have a formal process to that clearly demonstrates how such work can be completed. NRECA continues to have significant concerns with the proposed overly broad waiver section. If the expedited process section is maintained (and improved upon to address current problems) then this overly broad waiver provision should not be needed. There has been no other demonstration of need for such a broad waiver provision. NRECA requests the waiver provision be deleted or revised to significantly limit the situations when it can be used.

General Comments: NRECA continues to have significant concerns with the new provisions in the proposed SPM. We are voting "negative" on this current ballot for several reasons. While we support moving the process forward to make improvements to the SPM, we believe there are too many unfocused and uncoordinated efforts underway today creating confusion and uncertainty on ultimately where standard development process changes are going. NRECA believes a more focused and collaborative effort, possibly through the SPIG, will lend itself to a comprehensive, and not staggered or piecemeal, effort to improve the SPM. NRECA requests that consideration be given to making further revisions to the SPM as identified in our comments below in a future ballot period that is based on such a comprehensive effort. NRECA remains convinced that there is a need for a thorough analysis of the current SPM and standards development activities to clearly identify the areas that require changes to ensure standards are developed in the most efficient and effective manner. This work should be completed as soon as possible regardless of how the SPM work progresses. If the provisions in the current proposed SPM are approved by the industry, the BOT and ultimately FERC, NRECA encourages the SC and SDTs to carefully implement new provisions of the SPM. It is critically important to successful standard development that stakeholder comments are properly considered and clearly responded to, and that the new waiver provisions is utilized in very few and special cases. Specific Comments: Section 3.4 – third paragraph – The reasons that the SC can disband a SDT are quite subjective and if ever used could create unnecessary tension between the SC and stakeholders. There

may be relevant reasons why a SDT may not be able to achieve industry consensus or fully address a regulatory directive. NRECA requests that items b and d be deleted. Section 3.6 – first paragraph – While this does not appear to be a proposed revision the current SPM, NRECA does not understand why NERC, and not the SC, selects interpretation drafting team members. NRECA requests that unless there are specific and necessary reasons provided for NERC to have this role, that the SPM be revised to provide this responsibility to the SC. Section 4.1 – several places throughout section – References to “retirement of a Reliability Standard” should also clearly recognize that there could be retirement of one or more requirements of a reliability standard, not always the whole standard. Wherever “Reliability Standard” is mentioned regarding a SAR, the SPM should also recognize that it may not always be a standard, but that it could be a definition. Section 4.1 – seventh paragraph that lists the SC options for decision on a SAR – In the second bullet, if the SC remands a SAR, NRECA believes it should be required to provide a written explanation similar to what is listed in the third bullet. This should be revised in the SPM. Regarding the third bullet, allowing the SC to reject a SAR for “good cause” seems to provide unnecessary flexibility for the SC. NRECA requests that basic high level criteria be developed for the SC to use for rejecting a SAR. Section 4.14 – first paragraph – Towards the end of the paragraph, the word “substantive” is used, but it appears that word should be “significant” in order to work with the language earlier in the paragraph. Section 4.19 – second paragraph – In the second line NRECA is concerned that only the SC or NERC staff is permitted to identify the need to retire a standard. This should be able to be done by anyone – the SC, NERC, REs and stakeholders - that can submit a SAR. Also, there should be recognition that only a requirement of a standard, not only the whole standard, may be requested for retirement. Lastly, the reference to the Bulk Power System should be changed to Bulk Electric System.

Individual

Maggy Powell

Exelon Corporation and its affiliates

No

Exelon supports the revision to remove the 30 day time frame for informal comment periods. This is useful to give flexibility to the informal process. More frequent use of the informal comment periods to gather constructive input in the early stages allows the drafting team to utilize the iteration process without the burden of formal response to comment. More robust use of the informal stages could have been sufficient to render the revisions made to the response to comments provision unnecessary. No clear justification or reasoning is given for how the changes will expedite the development process. Presumably, the assumption is that if SDT members don't have to spend so much time on responding to comments then they can continue with the drafting work. This may be exchanging a workload concern for potential quality and consensus building concerns. The response to comments serves a few purposes for entities – an acknowledgement of the entity voice, an indication of whether the SDT understood the comments, and as a tool for confirming language understanding. It is the communications process between the SDT and technical experts at the voting entities over the iterative process. Putting all responses at the end of the process in summary form may eliminate the value that the response to comments contributed to language development and getting to yes votes.

Exelon accepts the move to require comments with negative votes, though the balloting portal must be revised to accommodate this new requirement.

Exelon appreciates the move to develop compliance tools/RSAs for comment along-side the proposed standard language. It is valuable to develop compliance tools such as the RSAW concurrently with the standard development. This improves the likelihood that the intent of the standard language will be reflected in the compliance tool. In addition, it is useful for applicable entities to understand the compliance implications and obligation of the standard prior to building a compliance program. However, a concern remains that replacing Measures (currently part of the approved standard) with the RSAW (not part of the standard and subject to future revision) removes the stability of the compliance instruction. While it may be preferable to remove the Measures from the standard to enable revisions to the measures/RSAs without embarking on a standard revision project, greater discussion of and commitment to the value of stable, durable RSAs would be helpful. Whatever the compliance tool utilized with the standard, it should request reasonable information, in a clear and concise manner, to assist in audit-prep for both entities and auditors, it should strictly and accurately reflect the standard language and intent, and it should be stable over time so that entities can incorporate RSAW completion into their compliance programs without multiple iterations of RSAs.

Yes

Additional clarification language should be added to the Section 7.0 Interpretations: • The language should acknowledge that when a project to address an issue raised in an interpretation request changes from an Interpretation project (subject to Section 7.0 provisions) to a standard revision project, it adopts the process for modifying a Reliability Standard (subject to Section 4.0 provisions). • In addition, the development record should accurately reflect the Standards Committee decision to change an Interpretation to a Standard revision including clear discussion of any objections to the decision. Typo: “Staffs” should be singular.

Exelon believes there remains ambiguity in the waiver process and there need to be additional details added, such as: • There should be a further explanation of why and under what circumstances a waiver would be used for a modification to a proposed standard or requirement, etc. as articulated in the third bullet under the provisions for a waiver. As there is a limitation that a waiver cannot be used to modify the voting requirements for a proposed standard, it is not clear under what circumstances an issue that has been “vetted by the industry through the standards development process” would be subject to a waiver. • Who can request a waiver or is the waiver limited to the Standards Committee members? • How will record of the decision to use the waiver process be documented and made known to stakeholders other than the BOT?

Thank you for the opportunity to comment on the SPM revisions. Exelon voted affirmatively in the ballot, though as indicated by the comments, concerns remain over the revisions. Exelon's affirmative position comes from a strong desire to support the efforts of the Standards Committee and to support the pursuit of improvement to the standards development process. Exelon recognizes that some of the proposed revisions are positive: • Professional personnel – The revised language states the inclusion of technical writers, legal, compliance and facilitation support personnel. While this change in practice may have been available without the language revision, it did not occur in practice and the formal commitment to is a positive step. • Quality Review – Enabling quality reviews to occur throughout the process rather than at the end is a worthwhile flexibility so long as the SC procedure is not overly cumbersome and that other requirements for in process QR do not get in the way of standard development progress. • SAR Remand – The revisions make a process improvement to allow the SC to remand a SAR to either Staff or the requestor. These are good housekeeping improvements. However, Exelon has concerns in addition to those noted in the other questions above: • Better front end analysis - A key point raised through the SPIG evaluation process and in the comments was the need for better front end analysis. Deploying more robust input in creating the project details (scope, problem statement, foundational analysis, etc.) on which a standard project should begin could pre-empt confusion about the project objectives and avoid mission creep. A clear mission at the start saves time on development. There is no change made to improve front end quality of the standard project foundations. • Role of Technical Committees – Another recommendation was for better utilization of the technical committees in the standards development process. The Standards Committee is limited to non-technical evaluations of technically dense standards projects. The revisions include no effective change for the role of technical committees. • Role of the RSDP - The revisions tie the SPM closely to the Reliability Standards Development Plan (RSDP). It's not clear that the plan development process is sufficient to support this strong of a tie. The RSDP process may need notable revision to be effective. As well, the RSDP may need coordination with the RISC efforts. The critical, overarching concern is that multiple efforts are underway related to standards development process improvements. This piecemeal approach

risks creating more problems than improvements. In addition to the proposed SPM revisions the following other activities are underway: • The RISC is just beginning to formulate its functions both overall and in relation to standards development and the Standards Committee. • In August, the BOT tasked the SPIG to perform a phase 2 project on standards development. • In late August, NERC reconstituted the Standards and Compliance department staff with a fresh slate of employees new to NERC standards development. • At the October SC meeting, the SC added to its work development of a Standard Committee Strategic Plan and a work plan. SPM revisions are only one component of the many changes around standards development under consideration. It is more efficient to coordinate all the efforts into a single, comprehensive revision to be implemented once. In addition, while the amount of time it takes to develop a standard is cited as the primary aspect in need of improvement this approach fails to recognize that not all standards projects are the same (some will and should take more time than others) and quality should never be sacrificed for timeliness. Finally, by focusing on changing the SPM process, the SC misses the opportunity to recognize that it's not necessarily the process that is problematic, but how the projects are managed (and in ways mismanaged). There are many different ways to develop a standard under the same process. No doubt there is room for improvement in the process, in particular if impediments exist that prevent efficiencies. However, in evaluating and revising the process without considering the implementation of the process, the improvement results may be limited. You may find that the revisions do not achieve the desired goal because they do not go to the root cause for the delays. While Exelon voted affirmatively in the ballot, the strong preference is that the SC work with the SPIG to consider SPM revisions as a piece of the other potential standards development revisions under consideration.

Individual

Scott Berry

Indiana Municipal Power Agency

Agree

Indiana Municipal Power Agency supports the comments submitted by Floriday Municipal Power Agency.

Individual

Brett Holland

Kansas City Power & Light

No

No

Yes

No

No

No

Kansas City Power & Light endorses the comments made by EEI on this subject.

Individual

Keith Morisette

Tacoma Power

Yes

Tacoma Power supports the proposed handling of 'no' votes without comments. The process should not be hindered by actions, such as a 'no' vote without comment, that are not productive to building an industry consensus. However, it should be noted that the ability to submit comments with votes has recently been deleted from the process. In addition, there is no current method to link a submitted comment under the commenting process with a vote. Therefore the ability to submit comments with votes must be reinstated.

Yes

Tacoma Power supports moving the measures to the RSAWs. We believe the measures and the RSAWs should be tools for the industry to understand how the auditors will perform the compliance with the standards. By moving the measures to the RSAWs, we expect to see fewer conflicts between the documents and the quality and clarity of the RSAW can be improved.

Yes

Tacoma Power supports the continued use of the VRFs and VSLs while the SCPS works toward an effective solution for eliminating them.

No

Tacoma Power cannot support the addition of the waiver provision in Section 16.0 with the additional clarification. Tacoma Power believes the waiver provisions of Section 16.0 are overly broad and opaque. Section 16.0 provides the Standards Committee an option to bypass the standard development process. Tacoma Power is concerned that the waiver provision would be too easy to resort to under pressure from various deadlines. Such a waiver option should be, at minimum, mitigated with counteracting safeguards and procedural steps and only available in situations recognized as necessary to prevent an imminent threat to reliability to guard against potential misuse. The comment form's explanation implies that the BOT review will provide an overview and gate-keeping safeguard to waivers. However, Section 16.0 only states that the SC will report the exercise of the waiver provision to the BOT prior to adoption. What the BOT's review process will be, the considerations it will use, and what detail is required in the report to the BOT is not specified. At minimum, Tacoma Power believes there should be a more formal process established for waiver approval (such as by the BOT). A public posting for a short period could be required to receive comments before waiver. The posting could describe the reason and identify the specific processes that will be changed by the waiver. Therefore, Tacoma Power believes Section 16.0 should be removed until an open and sufficient waiver process can be developed.

Tacoma Power does not have any additional comments at this time. We thank you for the opportunity to provide comments and your consideration of our comments.

Individual

Tony Kroskey
Brazos Electric Power Cooperative
Agree
ACES Power Marketing
Individual
Allen Mosher
American Public Power Association
Yes
Yes
Yes
Yes
APPA supports continued use of VRFs and VSLs as inputs to the Sanctions Table but only until such time as consensus can be reached among stakeholders and the regions on the Risk-Based Matrix approach that was proposed by the SCPS. It is essential that NERC identify efficiencies in the standards development process to free up industry, SDT and NERC staff resources to focus on higher value initiatives such as joint development of RSAWS, CEAP and implementation guides and to speed standard development and approval.
Yes
Yes
APPA submits the following comments in support of the proposed waiver provision and responding to comments by PSEG that object to proposed Section 16.0 Waiver and support retention of the existing Expedited Standard Development Process. For ease of reference, here are links to the two provisions that PSEG and I are referring to: Proposed Standard Processes Manual, Section 16.0 "Waiver," at page 49: http://www.nerc.com/docs/standards/sar/Appendix_3A_StandardsProcessesManual_clean_2012_08_27.pdf Expedited Standard Development Process of the current Standard Processes Manual, at page 34: http://www.nerc.com/fileUploads/File/Appendix_3A_StandardsProcessesManual_20120131.pdf My specific reasons for supporting for the Waiver Provision and my responses to PSEG's concerns are set out below: First, the current "Expedited Standard Development Process" really isn't a separate standards process at all. It's just a waiver provision by another name with a prescriptive list of actions that can be taken. However, the Expedited Process has a poison pill: as soon as the standard is adopted by the Board through the "expedited" process, NERC must either announce that the standard will expire after two years or repeat the entire standards process again to develop and approve the same standard or a modified standard. This is clearly redundant and a waste of resources for NERC, the industry and the drafting team. I know of no standards project since the Urgent Action 1200 cyber project where a sunset provision was deemed appropriate. Second, the first two bases for the Standards Committee to approve a Waiver (where necessary to meet a regulatory deadline or a deadline imposed by the Board of Trustees) are fundamentally the same as under the current Expedited Process (specific time constraints such as a regulatory directive or to meet an urgent reliability issue). However, the current SPM is ambiguous on who decides whether the reliability issue is in fact urgent and how urgent it is. Is it NERC staff? The Standards Committee? The drafting team? This type of prioritization decision should in fact be authorized by the Board. But it is the Standards Committee's responsibility to work with staff and the SDT to figure out how to meet such deadlines. Third, the other basis under which the SC is authorized to grant a waiver for any part of the SPM, in the absence of a regulatory or Board deadline, is limited only to where the proposed modification of the standard "has already been vetted by the industry through the standards development process or is so insubstantial that developing the modification through the processes contained in this manual will add significant time delay." To approve a waiver, the Standards Committee will be required to make a judgment about whether a specific issue has been fully vetted or is so insubstantial that it is a waste of industry and NERC time and resources to follow all of the normal steps in the standards process. The need for this part of the waiver provision should be self-evident in the fact that the current SPM led to a substantial debate as to whether the SC was required to terminate work on the PRC-005-2 project and start over with a new SAR and drafting team after the ballot failed on a recirculation ballot in summer 2011. The SPM shouldn't drive NERC and the industry to do dumb things. Rather, we need to use the process to get to consensus in support of technically excellent standards. The SPM is a means to an end, not the end in and of itself. Fourth, any action by the SC to waive an element of the SPM will be done in public and will be fully noticed to the industry as a whole. The action will be taken by approval of a motion by the Standards Committee, not by NERC staff. The basis for the waiver will appear in the agenda package and minutes of the SC. Notice of the waiver will be included on the standard Project Page, the announcement of comment and ballot periods, as well as the development history of the project. There is no need to have a specific SPM text provision to require notice to take place. The NERC ROP already has an appeal procedure, so no entity need wait to appeal an SC waiver decision until it is presented to the Board at some later date. And if good cause for the waiver is not shown, the SC will be reversed by the Board. Fifth, PSEG recommends that the SPM be modified to require a public comment period on the SC's waiver decision and that the NERC Board approve the waiver before it goes into effect. This process not only adds a minimum of 45 days to the process and would likely entail scheduling of a special Board meeting to consider each waiver approved by the SC, more importantly it confuses roles and responsibilities. The registered ballot body elects the SC to represent the best interests of the industry and reliability. The SC also reports to and is responsible to the Board to accomplish duties set forth in its charter, which include working with NERC staff to manage the standards process. It makes no sense to require the Board to ratify process management decisions that have been delegated to the SC unless one or more entities disagree with the decision – and we have an appeals process for that purpose, to ensure timely due process. Sixth, even if the waiver provisions are utilized, I think the development history of the resulting standard is likely to comply with ANSI's fundamental tenets – but the SC can't guarantee that in advance, because it entails a waiver of the approved SPM. To date, NERC has not submitted any standards to ANSI for approval. Rather, NERC's practice has been to submit the SPM to ANSI to gain approval as an accredited standards development organization (SDO). ANSI does not require an SDO to use the accredited process for all of its standards work, but if and when we depart from the ANSI approved process we shouldn't submit such standards to ANSI for approval. Seventh, industry consensus is still fully required. The new waiver provision does not change the voting rules, so approval still requires a 75% quorum, a two-thirds segment weighted supermajority approval, and responses to all comments raised, plus a final/recirculation ballot. Just like today. The waiver provision merely allows the SC to meet external deadlines and to avoid wasting industry and NERC resources, which is front and center what the Board directed us to do when it adopted the SPIG's recommendation that we take steps to improve the efficiency of the standards process. If the industry does not agree that the waiver is appropriate, the ballot pool will vote it down. Finally, the waiver provision is designed to enhance the ability of the SC to accomplish the SPIG's recommendation #5, to ensure timely development of reliability standards and make efficient use of industry and NERC resources, while adhering with ANSI principles: Recommendation 5: Standards Development Process and Resources The Board is encouraged to require the standards development process be revised to improve timely, stakeholder consensus in support of new or revised reliability standards. The Board is also encouraged to require standard development resources to achieve and

address: • Formal and consistent project management • Efficient formation and composition of SDTs Thanks for your consideration of these comments.

A special note of thanks to the SCPS, SCCPS and NERC staff, and to all industry stakeholders that have contributed to revision of the NERC Standard Processes Manual. A phenomenal amount of very high quality development work and systematic outreach to industry was completed over a period of just five months, to move the broadly outlined recommendations of the SPIG from concept to industry ballot. You are to be commended for that effort.

Group

SERC Planning Standards Subcommittee

Charles W. Long

Yes

No

Even if there are no comments included, a "No" vote should count in the calculation of consensus.

No

We continue to feel that the measures should remain with the standards. Since there is a potential for the measures to modify requirements, the measures should remain subject to industry approval.

Yes

Yes

No

We do not agree with the latitude granted by this provision. We feel that some industry input, even if abbreviated and burdensome, is preferred over the currently proposed approach.

The present SPM has an "expedited standards development process" that was stricken. However, the ROP section 300 (Reliability Standards Development) requires that process. The SPM should retain that; without it in the SPM, NERC cannot respond to a request from a governmental authority for expedited development of a standard. The SPM therefore needs to retain that procedure, unless the SPM procedure is waived. If this provision were reinstated, the use of a waiver process would be minimized since the expedited process would be a provision of the SPM. The comments expressed herein represent a consensus of the views of the above-named members of the SERC EC Planning Standards Subcommittee only and should not be construed as the position of SERC Reliability Corporation, its board, or its officers.

Individual

Jose H Escamilla

CPS Energy

Yes

Yes

Yes

Yes

Yes

No

Individual

Darryl Curtis

Oncor Electric Delivery

No

Process Overview Oncor does not support the new commenting process as proposed. In Section 4.13 it states "If a stakeholder or ballotter proposes a significant revision to the Reliability Standard during the formal comment period or concurrent Ballot that will improve the quality, clarity, or enforceability of that Reliability Standard, then the drafting team may choose to make such revisions and post the revised Reliability Standard for another 45 calendar day public comment period and ballot." The proposed process also states that if the Standard Development Team chooses to post the revisions for additional comment and ballot that previous comments do not require a response in writing. Oncor takes the position that when a stakeholder submits a significant revision during the initial formal commenting period which improves the quality, clarity, or enforceability of a Reliability Standard, then, the drafting team would be remiss ["may choose"] not to consider the validity of the comments by providing a written response to stakeholder concerns and by allowing them to participate in an additional ballot. Oncor takes the position that the current language in the ROP should remain as follows. "If a stakeholder or ballotter proposes a significant revision to the Reliability Standard during the formal comment period or concurrent initial ballot that will improve the quality, clarity, or enforceability of that Reliability Standard then the drafting team shall make such revisions and post the revised Reliability Standard for another public comment period and ballot."

No

Oncor does not support the proposal for the handling "no" votes. In Section 4.10, it states "Abstentions and, non-responses, and negative votes without comments shall not be counted for the purposes of determining the fractional affirmative vote for a Segment." Section 4.10 also describes that a quorum is established by at least 75% of the members of the ballot pool submitting a response (which includes

Negative votes without comment). The rationale used for the elimination of negative votes without comments is consistent with NERC's ANSI accreditation, however, Oncor takes the position that the elimination of Negative votes without comments for the purpose of determining the fractional affirmative vote for a Segment encourages the submission of comments that serve no useful purpose, other than to fulfill the requirement for a comment to accompany a "No" vote. It appears to go against the spirit of fairness and transparency. Oncor takes the position that all votes should be counted for both the quorum and the establishment of the Affirmative vote. Oncor recommends the following language to support that position as prescribed in Section 4.10: "A quorum, which is established by at least 75% of the members of the ballot pool submitting a response with an affirmative vote, a negative vote, or an abstention." Oncor also recommends that the appropriate software to support a more effective process for balloting, commenting and responding be designed and implemented as part of this initiative. The software should simplify the process for correlating "No" votes to comments in a way which supports the SDTs to be able to assemble comments and potential prioritize for review and implementation. Ultimately, streamline the process to ensure constructive input from the industry and be reviewed and potentially implemented to allow for an efficient standards development process.

No

Oncor takes the position that since the RSAW is in itself, not subject to approval by the standards development process, the validity and effectiveness of the measures could be better served by not placing them in the RSAW, but retaining them in the standards and by performing selected improvements to their clarity and their relativeness.

No

In the absence of an alternative path, continuing to utilize VRF's and VSL's is the only option. The industry is nearing the 6th year since the implementation of compliance and enforcement, and it seems the appropriate time to revisit the strategic and programmatic framework of compliance and enforcement policies and practices. With a potential shift in the enforcement practices beginning with Find, Fix and Track (FFT) and the internal controls concept (often referred to as "zero defect language") being introduced into standards/RSAs during the development process, Oncor recommends that SCPS partner with RISC to identify the appropriate framework including participation for this critical initiative.

Yes

No

Oncor is not in agreement with proposed Waiver as prescribed in Section 16. The current Rule of Procedure (Section 309.3) requires an "expedited standards development process" for the Standard Process Manual. The proposed changes to the SPM strike this provision (Section 9, 10 - Redline Version). Without this provision, NERC cannot respond to a request from a governmental authority for expedited development of a standard. Furthermore, the proposed Waiver has no appeals process, thus granting the Standards Committee the power to authorize change to NERC Reliability Standards - unchecked Oncor takes the position that the existing "expedited standards development process" for the Standard Process Manual is adequate and sufficient and that the proposed Waiver as prescribed in section 16.0 be removed

Group

Bonneville Power Administration

Chris Higgins

Yes

Yes

BPA agrees that additional work needs to be done towards the approach of evaluating the relevance of the comments.

Yes

BPA supports this proposal. BPA emphasizes the need for the SDT to have the authority to develop the standard without interference from the compliance staff. BPA agrees that many benefits can be gained from the compliance staff collaborating with the SDT to create the RSAW. The SDT needs to be the author of the standard and the compliance staff needs to be the author of the RSAW once the standard is developed.

Yes

BPA was in the support of the removal during the first phase and understands the industry's concerns regarding developing strategies for eliminating VRFs and VSLs while continuing to focus on the potential risks of the reliability of the BES.

Yes

Yes

BPA appreciates the opportunity to comment on the Standards Process Manual. BPA would like to acknowledge the Standards Committee willingness to work with the industry on revising the Standards Process Manual (SPM) and appreciates that most of BPA's previous comments have been addressed in the latest draft. While BPA is voting yes on the current SPM version, BPA strongly encourages the SC to consider modification of the current section 16 to address industry concerns. By modifying section 16 to address industry concerns BPA believes the gesture will increase industry confidence in the SC and will ease the transition of the implementation of the new SPM. Section 16 "Waiver" of the Standards Process Manual: BPA has concerns about Section 16, BPA understands the need to have the flexibility of a waiver. BPA is unaware of any specific examples for the need of such a broad waiver. BPA would like to recommend one of two options: 1. Revise the Waiver section to increase industry awareness and knowledge of the proposed waiver to include: a. A short posting (10 days) of the need for the waiver b. a short (10 days) opportunity for the industry to comment. If the majority of industry stakeholders express a concern, then the final decision should be evaluated to the BOT c. a single concise response from the SC on the decision to continue with the proposed waiver or to withdraw 2. Revising the current expedited process section to address current issues the SPIG, the NERC SC and NERC staff.

Group

Luminant

Brenda Hampton

Agree

Edison Electric Institute (EEI)

Group

Southern Company

Antonio Grayson

Yes
Yes
No
The proposed revisions must provide more clarity on the parallel development of Reliability Standards Audit Worksheets (RSAWs) and Reliability Standards. The Standards Committee Process Subcommittee's consideration of initial comments to the first posting of the revised SPM indicate that RSAWs will be posted for industry review and that the new process will include a non-binding poll during the final 45 day comment/ballot period to gauge industry support. We concur with this approach but it is not clear how the latest draft of the SPM incorporates this concept. We do note that Section 3.10 explains how RSAWs will be developed through collaboration of standards drafting teams and NERC Compliance Staff. Additionally, we note that footnote 20 provides more detail in this regard. The uncertainty over where and how stakeholders will have an opportunity to participate should be codified in the illustration provided in the Process for Developing or Modifying a Reliability Standard (Section 4.0, Figure 1).
No
Southern Company raises the following concerns with Violation Risk Factors (VRFs) and Violation Severity Levels (VSLs): We acknowledge the Standard Committee's challenge to address standards development process efficiencies while incorporating various recommendations from the SCPS and the SPIG. We also note that in drafting SPM revisions, the SCPS suspended an approach to eliminate VRFs and VSLs while incorporating a Sanctions Table. We concur with this approach as it may create opportunities for further review and discussion of specific and comprehensive solutions. Certain portions of the SPM create conflicting messages concerning the manner in which compliance elements such as VRFs/VSLs will be developed and approved. Footnote 4 suggests that NERC staff and the BOT will have an opportunity to revise the stakeholder-approved compliance elements if directed by FERC. Sections 4.4.4, 4.9 and 4.16 provide ample description of how drafting teams and NERC staff will work together to develop, ballot and obtain approval of VRFs and VSLs. The Standards Committee should clarify that a stakeholder's participation in the development process will not be minimized as a result of provisions which allow NERC and the BOT to modify stakeholder-approved compliance elements. We recommend elimination of footnote 4 as a way to mitigate potential conflicts.
Yes
At Section 7.0: Process for Developing an Interpretation, it is not clear why an interpretation request should be rejected when it "identifies a gap or perceived weakness in the approved Reliability Standard." Is this example correct?
Yes
Southern Company raises the following concerns with deletion of the Expedited Standards Development Process and inclusion of a Waiver Provision: The proposed SPM revisions do not recognize a threshold distinction between 'elimination of a provision' and 'modification of a provision.' The currently effective SPM includes a provision for an expedited process which essentially gives the Standards Committee the authority to adjust (modify) the timeframes of certain steps within the regular standards development process. The proposed revisions (Section 16) allow the Standards Committee to waive (eliminate) any provision within the SPM for good cause shown and within certain limited circumstances. The waiver provision could be broadly interpreted to mean that the Standards Committee could not only shorten a timeframe within a step, but it could completely ignore any step or other action as a means to achieve certain objectives. As a threshold matter, the Standards Committee should restore the explicit provisions under the current expedited process. Where the Standards Committee seeks broader authority to address any other provision within the SPM, it should specify which provisions it would reasonably anticipate as requiring some type of modification and then codify how it would exercise its authority in that regard. The draft SPM expands the Standards Committee's authority. Rules of Procedure Section 321, Special Rule to Address Certain Regulatory Directives, establish which actions the BOT may take to develop standards where the rule applies. The rule does not give explicit authority to the Standards Committee to waive or eliminate steps as explained in the draft waiver provision. For the most part, the rule establishes the BOT authority for certain circumstances and describes how the BOT can be assisted by the Standards Committee, NERC Staff, stakeholders and the public at large. The draft SPM waiver section describes how the Standards Committee shall report its use of the waiver provision to the BOT prior to adoption of a Reliability Standard, Interpretation, definition or Variance. This is a key aspect which demonstrates that procedures and controls are in place to ensure some level of transparency. However, it is not clear that the Standards Committee does not need or require explicit instruction from the BOT before proceeding with a waiver. The basis for this requirement may be rooted in whether or not the Standards Committee is deriving its waiver authority from rule 321. If the authority is rooted in rule 321, then according to the rule, at each instance where a ballot fails to address a regulatory directive and the BOT decides to exercise its authority, prior to remanding a proposed Reliability Standard to the Standards Committee with instructions, the BOT must either (1) be presented with a proposed Reliability Standard that fails to address a directive or (2) the BOT itself must make a written finding that a ballot pool has failed to address a directive. This suggests that at some point prior to the Standards Committee taking some action (i.e. an action described within the waiver provision) based on the BOT's instructions, there must be some correspondence memorializing why the Standards Committee will take the action in the first instance. If the above argument holds, wouldn't the Standards Committee be obliged to wait for explicit instructions from the BOT prior to invoking waiver provisions in those instances where rule 321 is being invoked? If the answer is yes then the waiver provision should clarify this obligation as a procedural matter.
Southern Company supports the Standards Process Input Group (SPIG) Recommendations and the Standards Committee's efforts to incorporate into the SPM various revisions proposed by the SPIG and the Standards Committee Process Subcommittee (SCPS). We have reviewed two versions of SPM Revisions and noted where the Standards Committee has given careful consideration to formal comments from industry. We are however concerned that there are several key and significant changes poised for implementation and that at this juncture, incremental steps are necessary to ensure that NERC and stakeholders achieve the desired results. Our comments cover several proposed changes to the SPM and are indicative of the fact that it is critical that all stakeholders understand what effect the revisions will have on the processes throughout the ERO enterprise and not just to those described within the Manual. We appreciate your consideration of our comments. The currently effective SPM (and the proposed draft SPM) does not demonstrate how, if invoked, Rule 321 would be implemented. The draft SPM only mentions Rule 321 in the context of a Reliability Standard's ability to be enforced for compliance purposes (see draft Section 4.17: Compliance). We raise this concern – that the Standards Committee should address how this rarely used, but nonetheless important rule would be implemented – as a matter which is separate and apart from the concerns expressed with the new waiver or deletion of the expedited process. The draft SPM (including the waiver provision) does not maintain certain key aspects of the expedited process. More specifically, the current SPM explains how an "expedited" standard could either be made permanent, or routed through the regular process, or withdrawn. This explanation was spelled out in the now-deleted 'Expedited' process section and should be restored. The Standards Committee should clarify its procedures for disbanding a drafting team and which subsequent activities the Committee will take to efficiently advance the work effort into the next developmental phase. The proposed revisions do not demonstrate that adequate procedures will be in place to ensure that appropriate checks and balances are applied to both the Standards Committee and any subsequent committee or team that may be tasked with the work effort. More specifically, the revised SPM does not explain if it must provide any notice to the Board of Trustees prior to taking such action or after it has already disbanded the drafting team. Also, the SPM does not indicate if the reason for disbanding the team correlates to invocation of a specific rule (e.g. Rule 321). Finally, the SPM does not discuss what level of review will be undertaken to assess whether or not the subject work effort should proceed. In other words, it is not

clear if the Standards Committee will conduct a threshold assessment of whether or not the disbanded team and work effort is still required to address an outstanding reliability issue. At the Introduction Section (and at Section 4.10), the draft SPM should be clarified to avoid any confusion over the summation of the number of votes cast for approval of a proposed Reliability Standard, definition, Variance, or Interpretation. The draft language is silent with respect to affirmative votes without comments. The draft language is as follows: "A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of affirmative and negative votes with comments, excluding abstentions, non-responses, and negative votes without comments." Either of the following revisions may alleviate the concern. Option A – "A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of all affirmative votes and all negative votes with comments, excluding abstentions, non-responses, and negative votes without comments." Option B – "A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of negative votes with comments, affirmative votes with or without comments, excluding abstentions, non-responses, and negative votes without comments." At Section 2.1: Definition of a Reliability Standard, the following phrase provides key reference information about the definition's placement in the Rules of Procedure but the reference should be incorporated as a footnote. "See Appendix 2 to the NERC Rules of Procedure, Definitions Used in the Rules of Procedure." At Section 2.5: Elements of a Reliability Standard, the phrase below creates ambiguity over what are (or are not) components of a Reliability Standard. "The components of a Reliability Standard may include the following: ..." It seems more appropriate to use more definitive language such as "...shall include..." These modifications clarify the elements of a Reliability Standard. Other comments to this revision suggest that footnote 4 be deleted as a means to mitigate misunderstanding over the stakeholder's role in development of VRFs and VSLs. The Standards Committee should revisit certain section and subsection titles. The main section title and subsection title should not be identical (refer to Section 2.0 and Subsection 2.5). Certain modifications at Section 3.6: Drafting Teams will clarify the flexibility allowed in the formation of drafting teams constituted for the various purposes described in the first paragraph of this section. More specifically, the addition of the phrase "as deemed appropriate" throughout the paragraph will establish flexibility for the Standards Committee and NERC Reliability Standards Staff. It may be necessary to make corresponding modifications to Section 4.3 of the SPM and to the Drafting Team Guidelines mentioned in footnote 12. At Section 4, Figure 1, Quality Review was removed from Step 4 and added to Step 3. This implies that the only opportunity for a Quality Review is at the initial posting prior to collecting informal feedback. Is this correct? Also, the revised illustration consolidates comment period and ballot "iterations" where the steps may be repeated multiple times (as required). We note that the consolidated steps do not include a Quality Review. We are not certain if the exclusion is a simple oversight in the drafting process. At Section 4.1: Posting and Collecting Information on SARs, Paragraph 3, it is not clear what constitutes "substantially revised" Reliability Standards. This should be clarified or addressed in some manner. The third paragraph at Section 4.3: Form Drafting Team, should be made consistent with section ## in that both are consistent with respect to the availability and inclusion of legal and compliance resources. Also, prior comments at Section 3.6 suggest that modifications are helpful for ensuring consistency and flexibility in constituting drafting teams. See prior comments at the Introduction section for modifications which address summation of the consensus vote.