

Individual or group. (41 Responses)

Name (23 Responses)

Organization (23 Responses)

Group Name (18 Responses)

Lead Contact (18 Responses)

IF YOU WISH TO EXPRESS SUPPORT FOR ANOTHER ENTITY'S COMMENTS WITHOUT ENTERING ANY ADDITIONAL COMMENTS, YOU MAY DO SO HERE. (12 Responses)

Comments (41 Responses)

Question 1 (27 Responses)

Question 1 Comments (29 Responses)

Question 2 (26 Responses)

Question 2 Comments (29 Responses)

Question 3 (0 Responses)

Question 3 Comments (29 Responses)

Individual
Chris de Graffenried
Consolidated Edison Co. of NY, Inc.
Agree
NPCC = Northeast Power Coordinating Council
Group
Dominion
Randi Heise
Yes
Although Dominion agrees with the changes proposed, we believe that revising the last bulleted item on page 4 to add clarity would be beneficial. Dominion proposes revising to read, "A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast, during all stages of balloting except the final ballot, is the sum of affirmative and negative votes with comments, excluding abstentions, non-responses, and negative votes without comments. During the final stage of ballot, the number of votes cast is the sum of affirmative and negative votes, excluding abstentions and non-responses."
Yes
Dominion suggests revising bulleted item (top of page 19) in Section 4.1: Posting and Collecting Information on SARs – to more clearly define which NERC committees can be consulted (should be technical). As proposed by the SDT- "Delay action on the SAR pending one of the following: (i) development of a technical justification for the proposed project; or (ii) consultation with another NERC Committee to determine if there is another approach to addressing the issue raised in the SAR." Dominion suggested revision – "Delay action on the SAR pending one of the following: (i) development of a technical justification for the proposed project; or (ii) consultation with the RISC or one of the NERC standing technical committees to determine if there is another approach to addressing the issue raised in the SAR."
Group
Northeast Power Coordinating Council
Guy Zito
Yes
No

The addition of the Waiver Section is a positive response to concerns from a previous submission, but there are still concerns that need to be addressed. The addition of a notice period prior to the consideration of a waiver request and reporting of such waivers to the BOT Standards Oversight and Technology Committee does not address due process concerns. Additional language needs to be included detailing the process by which suggested waivers will be vetted and approved through the Standards Committee. For example, if the intent is that the waiver should be used in rare cases for "good cause" only, there should be a high threshold for approving a waiver, such as a super-majority of the full Standards Committee. These details around how a waiver is proposed, considered, approved and enacted need to be articulated within Section 16.0. As currently written, there are some general steps outlined (i.e., a waiver request is submitted, a notice is issued, the Standards Committee takes action, and reports that action to the Standards Oversight and Technology Committee), but there is no minimum threshold for considering a waiver. Any entity can submit a request for waiver at any time and it will be considered by the Standards Committee. The Standards Committee is given very broad discretion on how it goes about considering and approving a waiver request. Additional thought needs to be given to what it takes to get a waiver approved through the Standards Committee. Once the waiver approval process is detailed and documented, only then can a stakeholder appeal of such a decision be based on any merit and understanding of how and why a waiver was granted. With such broad discretion on the waiver process suggesting that an entity can use the appeal process if they have issues with the Standards Committee decision on the waiver has little or no value. In addition to notifying the BOT's Standards Oversight and Technology Committee the Compliance and Certification Committee should also be notified of waivers. This section proposes a time consuming provision to cover urgent reliability standard revisions, but not emergency situations requiring immediate action. 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 procedure 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. The wording added in Section 16.0 of the Standard Processes Manual does not provide for review and approval/rejection of the industry for any new standard or amendment adopted through the waiver process. The wording seems to allow for an entity to appeal (footnote 32), but that is an ineffective way to effect changes. While we support the waiver concept, it should include a post-factum review and approval process by the industry.

Individual

Patrick Brown

Essential Power, LLC

No

A potential gap exists in the calculation of votes, which specifically uses "negative votes with comments" and excludes "negative votes without comments". The final ballot only has "negative" positions. It is not clear how the final ballot will be calculated.

Yes

Group

Arizona Public Service Company

Janet Smith, Regulatory Affairs Supervisor

Yes

Yes

No Additional Comments

Group

Associated Electric Cooperative, Inc. - JRO00088
David Dockery
Agree
NRECA
Individual
Russ Schneider
Flathead Electric Cooperative, Inc.
Agree
Western Small Entity Comment Group submitted by Steve Alexanderson of Central Lincoln PUD
Group
Midwest Reliability Organization NERC Standards Review Forum
Joseph DePoorter
Yes
The NSRF agrees with footnote 24. The SPM allows for industry comments and participation throughout the development period of the Standard. The Final Ballot should only allow the Ballot Body to agree or disagree with the final draft of the proposed Standard. This will encourage more industry involvement in our Standards development process.
Yes
The NSRF recognizes that the SC is made up of industry participants and section 16 provides the transparency that the industry requested.
The NSRF understands that in order to stream line the Standard Development Process that a Quality Review (QR) will happen concurrently while the Standard is in development. The NSRF believes that the QR can only happen once the SDT has finished their updating of said Standard. While guidance will be given to the SDT by compliance and legal staff, the QR can only be accomplished when the SDT has finished their review. Perhaps this could be stated clearer within the SPM.
Group
Western Small Entity Comment Group
Steve Alexanderson P.E.
No
The comment group agrees the present process provides no method for submitting comments during a final ballot, so the footnote is justified. We also agree that comments should be encouraged in order to achieve clear enforceable standards. We remain uncertain, though, just what is achieved by carefully removing the negative ballots without comments from the ballot just prior to the Final, only to add them back in for the Final ballot. Also, it appears that negative votes without comments prior to the Final ballot would still not be counted toward consensus, but would count toward quorum. This effectively uses no votes toward approval and does not seem appropriate. As we pointed out in our last comment, the accurate removal of these ballots is not easily accomplished considering all the ways an individual might comment indirectly. Is thisWe remain unconvinced this effort is justified when the negative ballots without comments will be added back in for the Final ballot.? In addition, as we assume the drafting team is aware, but are pointing out under an abundance of caution, not reaching consensus on a standard is an acceptable result under both the Standards Development Process and under the authority delegated to NERC and the industry to develop mandatory and enforceable standards. The goal is not to approve a standard at all costs, the goal is to approve standards that are acceptable to the industry and serve a legitimate reliability interest. There is adequate authority at the NERC Board for addressing instances where a reliability need is not successfully addressed by a consensus standards development project. Hence, there is no legitimate reason to limit the voting input of the industry during the development process. In addition, FERC has specifically identified criteria that warrants a standard and if the resulting standard does not reach consensus, that may be an appropriate result. For example, "321. The proposed Reliability Standard must address a reliability concern that falls within the requirements of section 215 of the FPA. That is, it must provide for the reliable operation of Bulk-Power System facilities. It may not extend beyond

reliable operation of such facilities or apply to other facilities....”
http://www.nerc.com/files/FERCs_Criteria_for_Approving_Reliability_Standards.pdf The SDT seems to focus the justification for the voting changes on the ANSI standards for developing standards, which certainly allow for the type of changes proposed. However, the ANSI standards are silent on authority to approve or disprove standards as designated by Congress to FERC and then delegated to NERC. Hence, the ANSI standards are only part of the consideration for what is appropriate, not the only measure. Our specific recommendation would be to continue to count no votes regardless of whether they are associated with a comment for both quorum and approval. However, if the SDT is unwilling to make that adjustment, an additional alternative would be to count only no votes with comments for both quorum and approval, except for the final ballot and then count all votes for both quorum and approval.

Yes

Group

Tri-State G&T

Bill Middaugh

No

It is not clear why “excluding unreturned ballots” is now in the explanation of a quorum in the first bullet under “Consensus vote” on page 4 and in section 4.10 on page 25. If unreturned ballots are excluded from determining a quorum, then every ballot would have 100% participation and a quorum would always be reached, thus defeating the purpose of needing a quorum. For example, a given ballot body has 500 registered voters. Of those 500 voters, 100 vote Yes, 150 Vote No, 30 Abstain, and 220 ballots are unreturned. The way we interpret the new section is that the numerator of the quorum calculation is 280 and so is the denominator. The wording should either go back to the previous language or it should just be “A quorum, which is established by at least 75% of the members of the ballot pool submitting a response;”

No

The “Waiver” section does not improve efficiency, but rather circumvents the ANSI-accredited Reliability Standards development process, which only gives the appearance of an efficiency improvement. The paragraph, “In no circumstances shall this provision be used to modify the requirements for achieving quorum or the voting requirements for approval of a standard,” is immaterial since the SC could waive quorum achievement and voting requirements based on the earlier paragraph that states “The Standards Committee may waive any of the provisions contained in this manual for good cause shown...” If the intent is to indicate that quorum achievement and voting requirements can not be waived, then the sentence should be changed to “The Standards Committee may waive any of the provisions contained in this manual, except for the requirements for achieving quorum or the voting requirements for approval of a standard, for good cause shown...” and remove “In no circumstances shall this provision...” In our previously submitted comments we stated that the “use of a waiver will result in a violation of the NERC’s ANSI-approved standards development process,” but the drafting team responded that “the waiver provision would not violate ANSI.” As such, we believe it will no longer be an ANSI accredited process. The argument that some Reliability Standards do not need to be filed with ANSI is not the same as accreditation of this process.

Section 4.11 indicates that voting “Negative without comment” is not possible. All reference to “negative votes without comments,” such as in the first bullet of 4.10 should be removed. In fact, if section 4.11 is accurate, then there is no need to reference “with comment” or “without comment” with regard to negative votes anywhere else in the document.

Individual

Thad Ness

American Electric Power

No

We do not believe that NERC has sufficiently made the case to industry what problems there have

been regarding no-votes-without-comments, or how prevalent they have been. Until that is accomplished, we are unable to determine what changes would be beneficial or necessary. It needs to be understood exactly why these kinds of votes are being cast and what challenges they might be causing. This needs to be fully understood and communicated before any solution is proposed and discussed. The current paradigm has unfortunately and unintentionally resulted in an unbalanced amount of focus being placed on compliance risk rather than reliability risk. As a result this has likely contributed to slowing down the development of reliability-based standards. Rather than attempt to expedite the process by discounting certain votes, efforts should instead be made to build upon NERC's recent Reliability Assurance Initiative. NERC's leadership has expressed their desire to pursue a new direction that results in "continuous contribution toward real reliability, rather than the current model." AEP believes this is a more prudent way to reach the desired results, and supports this new direction. If this proposal is indeed pursued, entities need to be notified if their no vote isn't being counted, and told EXACTLY WHY. In addition, there needs to be a process for appealing such a decision. Also, since the comment field was recently eliminated from the balloting process, what process would the drafting team use to tie comments made in the comment tool to the no votes made through the balloting tool? Since these are two completely different web forms, we are aware of no automated way the drafting teams could make such a correlation or determination. As a result, human error could occur. AEP is concerned that the proposed changes regarding no-votes-without-comments might unintentionally drive some participants to not vote at all, leading to possible challenges in achieving a quorum. As stated previously, we remain very uncomfortable with the concept of somehow counting no-votes-without-comments toward the quorum, and yet not count them towards the vote count itself. In essence, these votes would be counted as abstaining votes. It is unacceptable to assign no-votes-without-comments a different applicability or weight than yes-votes-without-comments, as in the manner proposed. Again, exactly what issue is the drafting team trying to solve?

No

While AEP does not object to the addition of "national emergency declared by the United States or Canadian government" as possible justification for a waiver, we recommend that the remaining qualifiers be made less open-ended than currently drafted. As stated previously, our concerns are 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 drafted are not restrictive enough. For example, "where necessary to meet regulatory deadlines" is entirely subjective and could conceivably be used for almost any circumstance.

Throughout the commenting process for SPIG-driven recommendations, a number of proposals have been made by the drafting team seeking industry comment and input. Industry has spent substantial time and effort as it considers the proposals, only to find some of them completely removed from the draft by the next comment period. Some of these deferred concepts have included proposals that industry, including AEP, supported (for example, the Sanction Table Reference and RSAW development process). AEP understands that this may happen from time to time, but in this case it would appear that the project scope needed to be more properly vetted before seeking industry comment. As a result, industry has invested time and resources to respond to proposals which are then unilaterally removed or deferred indefinitely. Releasing such wildly divergent drafts is not an efficient means for both either the drafting teams or industry.

Group

Bonneville Power Administration

Denise Koehn

Yes

Yes

BPA appreciates the opportunity to review the waivers and the SCPS efforts to be responsive to the industry concerns regarding Section 16.0.

Individual

Andrew Z. Pusztai
American Transmission Company
Yes
Yes
Individual
David Ramkalawan
Ontario Power Generation
Yes
<p>The parts of this submission in brackets contain changes. While I agree with the direction being taken re "Negative ballots without comments count toward quorum but not consensus, with one exception: final ballot. The DT added language to clarify that all "NO" votes (without comments) submitted in final ballot will count toward both, quorum and consensus", I find the drafting of the standard to be deficient in this regard. My concern is that the standard never makes clear when there is final approval. Section 4.10 indicates approval re quorum and 2/3 majority....but this can only apply to the Ballot and Additional Ballot process, not the Final Ballot, since the Final Ballot is based on Negative votes. You are not suppose to provide comments if negative. So section 4.10 doesn't work.</p> <p>Affirmative; Negative; Abstain. 4.10: Criteria for Ballot Pool Approval Ballot pool approval of a Reliability Standard requires: A quorum, which is established by at least 75% of the members of the ballot pool submitting a response, excluding unreturned ballots; and A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of affirmative votes and negative votes with comments. This calculation of votes for the purpose of determining consensus excludes (i) abstentions, (ii) non-responses, and (iii) negative votes without comments. I looked elsewhere and could not find how Final Ballot is determined. Therefore I think 4.10 needs to be modified to include both situations, something like: 4.10: Criteria for Ballot Pool Approval (Ballot and Additional) Ballot pool approval of a Reliability Standard requires: A quorum, which is established by at least 75% of the members of the ballot pool submitting a response, excluding unreturned ballots; and A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of affirmative votes and negative votes with comments. This calculation of votes for the purpose of determining consensus excludes (i) abstentions, (ii) non-responses, and (iii) negative votes without comments. (Final) Ballot pool approval of a Reliability Standard requires: A quorum, which is established by at least 75% of the members of the ballot pool submitting a response, excluding unreturned ballots; and A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of affirmative votes and (negative votes). This calculation of votes for the purpose of determining consensus excludes (i) abstentions, and (ii) non-responses. Second, under section 4.15, it is not clear to me if Final Ballot Results means the results of the Final Ballot, or results of any ballot. I think the first paragraph in section 4.15 is fine. I think Section 4.15 in the second paragraph could be improved by changes in red: 4.15: Final Ballot Results There are no limits to the number of public comment periods and ballots that can be conducted to result in a Reliability Standard or interpretation that is clear and enforceable, and achieves a quorum and sufficient affirmative votes for approval. The Standards Committee has the authority to conclude this process for a particular Reliability Standards action if it becomes obvious that the drafting team cannot develop a Reliability Standard that is within the scope of the associated SAR, is sufficiently clear to be enforceable, and achieves the requisite weighted Segment approval percentage. The NERC Reliability Standards Staff shall post (the outcome) of (each) ballot process. If (during the Ballot and Additional Ballot process), the Reliability Standard is rejected, the Standards Committee may decide whether to end all further work on the proposed standard, return the project to informal development, or continue holding ballots to attempt to reach consensus on the proposed standard. (If the Reliability Standard is rejected in the Final Ballot, the Standards Committee shall end all further work on the proposed standard). If the Reliability Standard is approved (in the Final Ballot) , the Reliability Standard shall be posted and presented to the Board</p>

of Trustees by NERC management for adoption and subsequently filed with Applicable Governmental Authorities for approval.

Individual

Michael Falvo

Independent Electricity System Operator

Yes

No

(1) We do support the addition of the Waiver Section, and we thank SDT for responding to our concern from the previous submission; however, we do believe that there is still a gap that needs to be addressed. This 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 procedure 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. (2) We do not believe that the wording added in section 16 of the SPM provides for review and approval/rejection of the industry for any new standard or amendment adopted through the waiver process. The wording seems to allow for an entity to appeal, but that is a very long shot for anyone to effect changes. While we support the waiver concept, we insist on including a post-factum review and approval process by the industry.

Individual

Mike Hendrix

Idaho Power Company

Yes

I agree that the proposed treatment of NO votes is fair and gives stakeholders ample opportunity to participate in the development of the standard. A No vote without comment is of no use to a SDT when trying to develop a consensus standard.

Yes

The circumstances when a waiver may be used are limited and the proposed waiver process seems to be transparent to the stakeholders. A waiver may be necessary to meet the timelines proposed by FERC for the GMD standard.

Individual

Brett Holland

Kansas City Power & Light

Yes

Yes

On page 9, the current proposal removes "Evidence Retention" as an element of a reliability standard. Thoughtful consideration of the data needed and a realistic expectation for the retention of different kinds of data to demonstrate compliance is an important element in the standards process. It will be an unreasonable expectation for smaller entities to store real time data sampled every few seconds for three or six years. Consideration for data retention should not be overlooked and it is recommended to retain "Evidence Retention" in standards development.

Individual
Eric Scott
City of Palo Alto
No
Any "No" vote, at any stage of the process, should be counted for all purposes whether or not the vote is accompanied by comments. Voters who have issues with specific provisions of a proposed standard should provide comments to explain and address those concerns. However, there may be times when a voter is opposed to the very concept of a proposed standard and a vote without comments is a valid response since a comment like, "Organization XYZ is totally opposed to creation of this standard" could be reasonably inferred from a "No" vote without comments. Refusal to recognize all "No" votes during the standard development phases will likely overstate the consensus supporting a proposed standard since all "No" votes will count on a Final Ballot, even those from voters who were ignored in previous rounds of voting. In other words, a proposed standard could appear to have consensus support in every ballot up to the Final Ballot where it could then be turned down when all "No" votes are counted.
Yes
Group
FirstEnergy
Cindy Stewart
Yes
There should be a method for the entry of comment(s) on the final ballot when an entity wishes to alter their vote from the last successive ballot to the final ballot. This could occur when the entity may have agreed previously contingent on an action which didn't occur.
Yes
Individual
Scott McGough
Georgia System Operations
Agree
NRECA
Individual
David Jendras
Ameren
Yes
No
While the SDT efforts regarding transparency are a step in the right direction we still believe the waiver provision is not necessary. We suggest the SDT to keep the process presently included in the NERC ROP for such situations.
(1) We still believe that the summary response should include the communicator's or company identity to help commenters easily sort their comments and their interest. (2) From our perspective this overall effort appears to be going in the right direction which is consistent with our shared BES reliability objectives; however we believe that the present NERC rules for VRF and VSL are too conservative and a process is needed to review them. A few examples where we believe that VRF's and VSL's are not fair or realistic: • PRC-005-2 requiring 100% perfection, (Zero Tolerance) • PRC-019, 24 & 25 generation standards treating units that seldom run the same as base load units or

escalating too quickly, and • PRC-027-1 and PRC-004-3 escalating too quickly from Low => Medium => High => Severe.

Individual

Kathleen Goodman

ISO New England Inc.

Agree

ISO/RTO Standards Review Committee; ISO-NE supports the majority of the changes being considered with the exception to the Standards Committee Waiver provision, as written.

Individual

Richard Vine

California Independent System Operator

Agree

Standards Review Committee (SRC) - ISO/RTOs

Individual

Lynne Mila

City of Clewiston

Agree

Florida Municipal Power Agency (FMPA)

Group

Hydro One

Sasa Maljukan

Agree

NPCC RSC

Group

PPL NERC Registered Affiliates

Brent Ingebrigtsen

No

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. Also, the circumstances to which the SC is "limited" to invoke the waiver are vague and ambiguous, and all proposed Reliability Standards could fall within these criteria. 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.

Individual

Larry Watt

Lakeland Electric

Agree

Lakeland Electric Supports FMPA Comments

Group

SPP Standards Review Group

Robert Rhodes

Yes

Yes

Section 3.6, page 12 – delete the 3rd bullet Section 4.0, page 14, Text box (also throughout the SPM) – Change Final Ballot to Recirculation Ballot. All NERC correspondence refers to recirculation ballots not final ballots. A similar situation exists with initial ballot and successive ballot. Why don't we use this terminology in the SPM? Section 4.18, page 25, Rationale box – Delete the 'to' after 'specifically'. Section 9.1, page 37 – Replace 'team' with 'teams' in the last line of the 2nd paragraph. Section 13.0, page 46 – In the 5th line of the 1st paragraph delete the 's' following 'Reliability Standard'. Also in the 1st bullet of the 2nd paragraph delete 'and review' in the 3rd line.

Individual

Eric Salsbury

Consumers Energy

No

Previously we submitted the following comments: Consumer's Comments - 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 ballotter 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. The SDT responded as follows: SDT Response - Thank you for your comment. NERC Standards Committee is aware of this situation and NERC has committed the resources necessary to accurately identify negative votes with associated comments. New Consumer's Comments - Until we have details on how this will be accomplished, we are not comfortable with the language in the revisions.

Individual

Nazra Gladu

Manitoba Hydro

Yes

No comment.

No

(1) Provisions that allow the Standards Committee to "waive" the standards development process for a number of reasons are very broad/vague, such as "to meet NERC BOT deadlines". The standards development process is integral to the international reliability organization model and this model threatens to be substantially eroded with such a waiver provision. One of the criteria for waiver is "to meet regulatory deadlines". However, this issue was already addressed in previous ROP revisions to Rule 321 and was intensely debated by industry, including CEA. There is potential for both regulators and NERC BOT to impose deadlines that intentionally circumvent the standards development process if the waiver section is adopted. (2) No direct correlation exists between the waiver provision and the intent of the SPIG's policy input, and a proposed framework, for specific improvements to the standards development process. (3) The Standard Committee's ability to waive any of the provisions contained in the SPM "In response to a national emergency" does not fit with the intent of the standard development process. Reliability standards are not normally developed in response to individual emergencies. Emergency operating procedures are already in place for these types of events.

(1) Section 2.5 - More work is required to this revision for the SPM to apply internationally. The text under "Compliance Enforcement Authority" is inconsistent with Manitoba law (and other Canadian jurisdictions) where NERC and/or Regional Entities have no legal authority to impose penalties or enforce compliance. These roles are performed by Canadian regulators or other Applicable Governmental Authorities. Accordingly, the statement "The Compliance Enforcement Authority will be NERC or the Regional entity..." should be confined to the U.S. or rephrased as previously suggested. Manitoba Hydro has submitted a request to change the definition in Appendix 2 of the NERC Rules of Procedure, and until this change is accepted, will continue to vote negative for this standard. (2)

Section 3.10 - For the same reasons stated in (1), revise the first sentence in section 3.10 so that it is confined to the U.S., or revised so that it refers to NERC monitoring and/ or enforcing compliance. (3) Section 4.0 - Revise figure 1, STEP 9 which reads "Submit all approved documents to governmental authorities for approval" to read "Submit all BOT approved documents to Applicable Governmental Authorities" to be consistent with the wording in other sections of this document. (4) Section 4.11 - As read, the affirmative vote can be cast without submitting comments during the Ballot and Additional Ballot(s) periods. Using this assumption, modify the voting positions to read: Affirmative; Negative with comment(s) and Abstain. Alternatively, if the assumption is incorrect, modify 4.10 to read "affirmative votes with or without comment(s) and negative votes with comment(s)" for clarity. (5) Section 4.19 - Capitalize the words, "applicable governmental authorities" in the first sentence. (6) Section 7 - Revise figure 2, STEP 11 which reads "Submit all approved documents to governmental authorities for approval" to read "Submit all BOT approved documents to Applicable Governmental Authorities" to be consistent with the wording in other sections of this document. (7) Section 9.1 - Change the words "governmental authorities" located in the third paragraph to "Applicable Governmental Authorities". (8) Section 10.3 - Change the words "appropriate governmental agencies" located in the second paragraph to "applicable governmental agencies". (9) Section 10 - Revise figure 3, STEP 7 which reads "Submit all approved documents to governmental authorities for approval" to read "Submit all BOT approved documents to Applicable Governmental Authorities" to be consistent with the wording in other sections of this document. (10) 10.14 - For clarity, consider adding BOT into the first sentence to read "All BOT approved documents shall....." (11) Section 10 - Revise figure 4, STEP 7 which reads "Submit all approved documents to governmental authorities for approval" to read "Submit all BOT approved documents to Applicable Governmental Authorities" to be consistent with the wording in other sections of this document. (12) Section 11 - Consider adding the word "standards" before "drafting team" in the second paragraph for clarity. (13) Section 12 - Change the two occurrences of the words "governmental authorities" located in the second sentence to "Applicable Governmental Authorities" for consistency with other sections of this document.

Individual

Cheryl Moseley

Electric Reliability Council of Texas, Inc.

Agree

IRC Standards Review Committee. ERCOT supports the SRC comments to questions 1 and 3.

Individual

Barry Lawson

National Rural Electric Cooperative Association (NRECA)

No comments provided.

NRECA continues to have concerns with the waiver provision as identified in previous comments, but appreciates the efforts of the SC/SCPS to narrow the times when the provision can be used. At this point NRECA does not oppose moving forward with the current draft of Section 16.0; however, we will pay close attention to any use of this provision to ensure it is properly exercised.

NRECA continues to have concerns with certain provisions in the proposed SPM. We are voting "affirmative" on this current ballot, but ask the SC/SCPS to carefully consider our comments on various sections of the SPM. While we support moving the process forward to make improvements to the SPM, we continue to 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 will lend itself to a comprehensive, and not staggered or piecemeal, effort to improve the SPM. If the current set of SPM revisions are approved by the industry and the NERC BOT, NRECA requests that consideration be given to not immediately submitting these revisions to FERC for approval. We believe it would be beneficial to wait for other SPM revision efforts to come to conclusion, and then submit one comprehensive set of SPM revisions to FERC for approval. 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 the 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 any new waiver authority is utilized in only a very limited number of circumstances, if at all. Other Specific Comments (page and section numbers are from the redline of the last approved SPM version) Page 9, Section 2.4, first bullet, 4th line – it appears that “results-based” should be replaced with “performance-based.” Page 10, Section 2.5, bullet on Measures – NRECA is confused by the statement “types of evidence MAY demonstrate compliance.” The use of the word “may” appears to state that the Measures are not necessarily Measures that can help with demonstrating compliance. This seems to be a significant change for how the measures are valued in standards and compliance. NRECA asks the SC/SCPS to consider if this is the appropriate language to use in the Measures section. Page 19, Section 4.1, 7th paragraph that lists the SC options for decision on a SAR, 2nd bullet – in the previous round of comments NRECA stated that if the SC remands a SAR, it should be required to provide a written explanation similar to what is listed in the third bullet. In the consideration of comments the SC/SCPS agreed to make this change, but it was not changed in this SPM draft. NRECA requests that this change be made in the SPM. Pages 20-30, throughout Section 4 – NRECA continues to urge the SC/SCPS 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 standard development process. NRECA also strongly urges the SC/SCPS 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, or negative votes, submitted to NERC due to stakeholders not believing their comments were properly addressed and responded to. Page 28, Section 4.12, first paragraph, first line – based on changes made to other parts of the SPM that added the words “substantive” and “non-substantive”, the word “significant” should be replaced with “substantive.” Page 40, Section 7.0, second to last paragraph of this section, 3rd line – it appears that “Board of Trustees” should be replaced with “Standards Committee” in order for this paragraph and the next paragraph to properly reflect the SPM.

Group

pacificorp

ryan millard

Yes

No

PacifiCorp does not support the addition of the waiver provision in section 16.0. 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.

Group

Florida Municipal Power Agency

Frank Gaffney

Yes
Yes
<p>FMPA has significant concerns about footnote 7 – concerns great enough that it almost caused us to vote Negative. On its face, footnote 7 gives ERO staff the unilateral right to change Compliance Elements, including Measures, without BOT approval and without input from industry, and it even seems to remove FERC jurisdiction from Compliance Elements including Measures. There are two significant changes that occur on page 10 of the posted redline to the last approved: 1) Measures are now considered a Compliance Element. 2) The footnote claims that Compliance Elements are not part of the standard, i.e., footnote 7 states: "It is the responsibility of the ERO staff to develop Compliance Elements for each standard; these elements are not part of the standard ...". On its face, footnote 7 states that ERO staff has unilateral right to change Compliance Elements and can do so without industry, BOT or FERC approval, since i. Section 308 of the ROP discusses the BOT's role in approving standards; hence, by saying that Compliance Elements are not part of the standard, then Compliance Elements are not part of Section 308 and therefore does not need BOT approval, and would not need to be presented to the BOT for approval. ii. Compliance Elements do not need to be balloted since they are not part of the standard iii. Section 215 defines FERC's authority in approving standards; hence, again, by saying that Compliance Elements are not part of the standard, it removes FERC's jurisdiction over Compliance Elements. FMPA does not know whether that was the intent of footnote 7 or not. FMPA does agree that a collaborative effort to develop Measures between the SDT and ERO staff is important, as also stated in footnote 7; but, FMPA does not agree that ERO staff should have unilateral authority over the Measures after the initial development. We have witnessed the danger of unilateral control of how to measure compliance through the CAN process, which in FMPA's opinion, was initially ERO staff's attempt at unilateral control of Measures; and in FMPA's opinion, CAN's did not and still do not work well. The "right" answer is for the regulator and regulated to agree on how compliance is to be measured and this means collaboration on Measures and not unilateral control of Measures. FMPA suggests that at minimum, to maintain this need for collaboration, the BOT needs to approve all changes to Measures. This can be accomplished in at least two ways: 1) Change footnote 7 to require BOT approval of all changes to Compliance Elements, not just those directed by FERC. 2) Remove Measures from the definition of Compliance Elements and make Measures part of the standard. Further, FMPA is discouraged that our comments were lost at NERC on the last round of comments. We have a PDF of the comments we submitted. In addition, several other commenters said that they supported FMPA's comments, and rather than calling FMPA to find out what happened, the response to those commenters was that no comments were received from FMPA. Further, when FMPA became aware that, in the draft consideration of comments, our comments were not included and lost, we made NERC staff and members of the Standards Committee aware that our comments were lost and e-mailed them with our submitted comments hoping that they would be considered. They were not. FMPA believes this is unacceptable. So, we raise these comments again here and expect them to be addressed this time.</p>
Group
ISO/RTO Council's Standards Review Committee
Ed Skiba
Yes
<p>As revised, we understand the process to be that, during the Ballot and any Additional Ballot stages (with the exception of the Final Ballot stage), there will not be an opportunity for ballot participants to simply cast a "negative" ballot without comments, i.e., "negative" ballots that do not include comments will not be accepted and this rejection will be apparent to the ballot participant through the ballot submission process. Accordingly, because the process will not accept a simple "negative" ballot, negative ballots without comments are not able to be counted through the balloting process and will not, therefore, be counted in the quorum/consensus for purposes of determining Ballot Pool approval prior to the Final Ballot stage. We agree that negative votes without comments should be accepted during the Final Ballot stage.</p>

No

We appreciated the SC's efforts to address stakeholder concerns regarding the proposed new waiver provision; however, the addition of a notice period prior to the consideration of a waiver request and reporting of such waivers to the BOT Standards Oversight & Technology Committee does little to address our due process concerns. Additional language needs to be included detailing the process by which suggested waivers will be vetted and approved through the SC. For example, if the intent is that the waiver should be used in rare cases for "good cause" only, there should be a high threshold for approving a waiver, such as a super-majority of the full SC. These details around how a waiver is proposed, considered, approved and enacted need to be articulated within Section 16.0. As currently written, there are some general steps outlined (i.e., a waiver request is submitted, a notice is issued, the SC takes action, and reports that action to the Standards Oversight & Technology Committee), but there is no minimum threshold for considering a waiver nor (1) a criteria to be utilized to determine whether a waiver should be approved or (2) a threshold for approval. Any entity can submit a request for waiver at any time and it will be considered by the SC. Further, the SC is given very broad discretion on how it goes about considering and approving a waiver request. Additional thought needs to be given around what it takes to get a waiver approved through the SC and those additional details and processes must be documented and transparent. Once the waiver approval process is detailed and documented, only then can a stakeholder appeal of such a decision be based on any merit and understanding of how and why a waiver was granted or denied. With such broad discretion and ambiguity and the lack of transparency regarding the waiver process, the availability of the appeal process to entities if they have issues with the SC decision on the waiver has little to no value as a thoughtful, rigorous, transparent appeal process cannot be satisfied. Finally, we respectfully suggest that the Compliance and Certification Committee should also be notified of waivers, concurrent with the Standards Oversight and Technology Committee. ERCOT has indicated that it is supportive of comments to Questions 1 and 3 only.

As a point of clarification, we request that the SC explain and define the term "unreturned ballots" as incorporated into the criteria for establishing a Ballot pool quorum. See Redlined Standard Process Manual Section 1.4 under Consensus Vote and Section 4.10, Criteria for Ballot Pool Approval. It is unclear what is meant by "unreturned ballots". If a quorum is established by meeting a threshold of 75% of the ballot pool submitting a response and unreturned ballots will not be counted towards the quorum, it is unclear how the quorum result would ever be less than 100%.

Group

Southern Company

Antonio Grayson

Yes

After considering comments regarding the lack of a comment period, NERC stated that "there is no obligation in the current [Standard Processes Manual ("SPM")] to accept comments during a recirculation ballot, and the proposed revisions to the SPM are consistent with the current SPM in that there is no comment period associated with a Final Ballot." NERC clarifies that all "no" votes submitted in the Final Ballot will count toward determination of both the quorum and consensus, and clarified in Footnote 24 (Note: NERC is referring to footnote 24 in the redline to the last posted version; it is footnote 22 in the clean version) that negative votes in the Final Ballot "will be deemed to have commented or supported the comments of other groups during prior Formal Comment periods." Southern supports the intent of the revisions to Section 4.11 and the associated footnote. A Final or Recirculation Ballot should only occur when the most recent version is issued without substantive revisions, which would have been issued in previous versions for which comments have already been received and considered. Therefore, a Final or Recirculation Ballot should not contain substantive revisions that were not already afforded an opportunity for comment in previous ballots. Accordingly, the rationales for negative votes would have been expressed in previous comments and considered during those ballot periods. Southern does respectfully suggest, however, that the intent of the associated footnote could be clarified with slightly more precise language, and suggests the following substitution: "The Final Ballot is used to confirm consensus achieved during the Formal Comment and Ballot stage. Ballot Pool members voting negative on the Final Ballot will be deemed to have voted negatively for reasons that were expressed in their own prior comments or in those of others during previous Formal Comment periods."

No

NERC states that, in response to stakeholder concerns regarding transparency, openness and due process protections, it "incorporated the concept of a notice period for stakeholders prior to consideration of a waiver request by the Standards Committee and clarified how notice to stakeholders will be provided when the waiver provision is exercised." NERC also states that it has "incorporated a provision for the immediate reporting of waivers by the [Standards Committee] to the Standards Oversight & Technology Committee." Southern notes that the new proposed waiver section in Section 16.0 is intended to replace the expedited process in the original version, which had included a process by which any expedited standard would subsequently undergo a second review within the normal standards development process. Although Southern had suggested reinstatement of this second review process, NERC in its consideration of comments stated that a requirement to revisit a standard developed under the expedited process was creating additional work for the industry, when those resources could instead be dedicated to other efforts. First, while Southern appreciates the need for expedited action and streamlining of the standards development process during exigent circumstances, it is concerned that five business days does not provide sufficient notice to stakeholders to process the waiver request and respond accordingly. Southern suggests that thirty business days would be a more appropriate period of time for stakeholders to receive notice and formulate a response. Additionally, the proposed language does not clarify that stakeholders would have an opportunity to provide comment on the waiver request once the notice has been provided. Southern suggests language below that would make this opportunity clear. Second, because Section 16.0 empowers the Standards Committee to waive any of the provisions within the SPM, the circumstances shown appear to be overly broad and ambiguous, and could benefit from more precise language surrounding the circumstances under which such waiver authority would be triggered, as discussed specifically below:

- The first bullet very broadly and ambiguously hinges waiver authority on a "national emergency" declared by the entire U.S. and Canadian governments, as opposed to a specific authority within these governments. Southern attempts to refine the first bullet to name the obvious agencies that might declare national emergencies affecting the BES "or another appropriate agency". Southern also acknowledges that there are several options that NERC and other agencies have during an emergency (e.g., NERC Alerts) and confines the waiver provision to apply to those emergency circumstances for which development of a standard would constitute an appropriate response given the facts and circumstances of such emergency.
- The second bullet leaves some ambiguity as to when it might be "necessary" to meet regulatory deadlines. Southern suggests some language that clarifies and more precisely describes the situation where a regulatory deadline is shorter than the minimum time provided for under the normal standards development process.
- Similarly, the fourth bullet: (a) refers to a situation when a modification has already been vetted through the standards development process – in such a situation, waiver would no longer be necessary; and (b) is ambiguous and vague as to what degree is necessary for the Standards Committee to decide what modifications are "insubstantial" or would cause "significant" delay. With respect to this latter issue, in the absence of further clarification around these criteria, it is possible that the Standards Committee may make a good faith decision to waive portions of the normal standards development process because they deem a modification to be "insubstantial" or to cause "significant" delay, but that industry stakeholders later believe (or circumstances arise such that) the modification is, in fact, substantial or that the delay was not significant. This is especially troublesome when the general opportunity to subsequently re-review an expedited standard, originally included in the expedited standards development process, is now being eliminated from the Standard Processes Manual. Southern first suggests that the triggering words in the fourth bullet be changed to where the modification is not "substantive" and would not cause "excessive" delay. Second, Southern also recommends -- limited to the scope of this particular circumstance where it has been determined by a committee that a modification is not substantive or would cause excessive time delay – that an opportunity be provided to subsequently resubmit this approved standard through the normal standards development process, solely with respect to the modification in question, to allow stakeholder review as to the modification that triggered the waiver. If the normal standards development process determines that the modification is, in fact, unwarranted, then a revision to the standard removing the modification can be submitted to the Board of Trustees for approval. Southern generally supports the Section 16 waiver provision, but believes with these suggested refinements, that Section 16 can better accomplish the intent of the SPIG recommendations and provide certainty and clarity to Regional Entities and industry stakeholders. Southern therefore submits the following suggested revisions for consideration: "The Standards Committee may waive any of the provision

contained in this manual for good cause shown, but limited to the following circumstances: • In response to a national emergency declared by FERC, NERC, DHS, or another appropriate agency (or Canadian equivalent agency) that involves the reliability of the Bulk Electric System or cyber attack on the Bulk Electric System, and for which an abbreviated standards development process would constitute an appropriate response to address such declared emergency; • Where the time periods set forth by the normal standards development process would be incapable of meeting an impending regulatory deadline; • 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 and that developing the modification through the processes contained in this manual would therefore add unduly excessive time delay. In the event this circumstance gives rise to a waiver of one of the provisions, then subsequent to its expedited development and approval, the Standards Committee will re-submit the approved standard(s) through the normal standards development process, which shall be limited in the scope of its review to the modification determined by the Standards Committee to warrant waiver. Should the normal standards development process determine that the modification is unwarranted, the Standard, requirement, definition, interpretation, or variance shall be revised to remove the modification and submitted to the Board of Trustees for approval pursuant to the normal standards development and revision process. In no circumstances shall this provision be used to modify the requirements for achieving quorum or the voting requirements for approval of a standard. A waiver request may be submitted to the Standards Committee by any entity or individual, including NERC committees or subgroups and NERC Staff. Prior to consideration of any waiver request, the Standards Committee must provide thirty business days' notice to stakeholders, who would have an opportunity to provide comment on the waiver request within the thirty day notice period."

Southern Company ("Southern") appreciates the Standards Committee Process Subcommittee's (SCPS) efforts to implement the SPIG recommendations and to incorporate input and feedback from stakeholders. Southern also generally supports the direction in which the Standard Processes manual revisions are headed. As NERC's summary details, there are three main categories of substantive changes in Version 3 of the Standard Processes Manual: (1) continued revisions towards the eventual elimination of VRFs, VSLs, Measures and RSAWs; (2) clarification of the absence of a comment period during a Final ballot and that negative votes during the Final Ballot will be deemed to have voted based on previously submitted comments or previous comments of others; and (3) introduction of numerous revisions, including incorporation of a notice period for stakeholders prior to consideration of a waiver request by the Standards Committee. Southern appreciates the opportunity to provide input on these latest proposed revisions, as further detailed below and in response to the first two questions included in the Unofficial Standard Comment Form for this project. Eventual Elimination of VRFs, VSLs, Measures and RSAWs NERC states that the SCPS is "continuing to work toward the elimination of the VRFs and VSLs through the development of potential alternatives and is actively working with NERC and Regional enforcement staff to establish a consensus on the concepts." While these concepts are further developed, NERC states, Measures, VRFs, and VSLs will "continue to be drafted by the SDT and a non-binding poll of VRFs and VSLs will continue to be conducted consistent with the current process." Southern supports the SCPS's continued work with NERC and Regional enforcement staff to move away from VRFs and VSLs and toward a more risk-based compliance and enforcement framework. Southern acknowledges that the proposed revisions represent an interim step towards this end goal, and looks forward to continued progress in this regard. In sum, Southern wishes to emphasize its support of the SPIG recommendations and of the NERC SPCS's efforts to respond to those recommendations. With the suggested recommendations above, Southern feels that the Standard Processes Manual can more accurately and precisely respond to the SPIG's recommendations in a way that ensures due process to registered entities and other stakeholders, and that provides certainty and stability to the entire ERO Enterprise going forward.

Group

ACES

Jason Marshall

No

While we agree that comments should, in general, be provided to support any ballot, sometimes comments simply will not be helpful in developing a standard. For instance, if we do not agree that a

standard should be developed, how will comments to this effect help the drafting team to develop the standard? We think the best approach is for NERC to encourage balloters to provide comments with their ballots without requiring discounting of negative ballots. We agree with the decision to count negative votes without comments in the final ballot since comments are not allowed in the Final Ballot. However, this highlights one of the problems with discounting negative ballots in initial ballot and any additional ballots before the final ballot. Because these negative votes will be counted in the final ballot but not in the earlier ballot, the approval percentage will be skewed high. If a ballot has marginal approval, the drafting team will need to consider the impact of negative votes that were not counted in deciding whether there is likely to be sufficient consensus in the Final Ballot. Because votes are counted by exception in the Final Ballot, the method in which negative votes are counted needs further clarification. If a balloter submits a negative vote in an initial ballot or additional ballot without a comment, it is not counted. How is this ballot then treated in the Final Ballot, if the balloter chooses to persist with its negative ballot? Does the balloter need to re-submit the negative vote? If the balloter does not re-submit the negative vote in the Final Ballot, will his original negative vote be counted in the final ballot even though it was discounted in the earlier ballot?

Yes

We appreciate the changes made to the waiver section to provide further limits to the waiver section. However, we continue to be concerned that the section is more broad than necessary. Given that the requirements for achieving a quorum and ballot approval cannot be modified via the waiver and that a notification for the potential use of the waiver must be provided to stakeholders, we are willing to support this section in the spirit of moving forward and showing support for trying to improve the standards development process. We hope use of this section will be very limited.

(1) Section 4.1 contains contradictory statements regarding a technical justification. In the third paragraph on page 16, there is a statement that a SAR for a new reliability standard should include a technical justification; however, the second paragraph on page 17 states that the Standards Committee will direct NERC Reliability Standards staff to post a SAR for a new reliability standard for comment to collect stakeholder feedback on the scope of the technical foundation. Which is intended? (2) Section 4.2 - SAR Posting states that the Standards Committee based on advice from the drafting team will determine if there is enough stakeholder support for a SAR to continue with developing a standard. The determination will be based on the comments submitted. Considering that the commenters will not be in complete alignment with the ballot body and eventual ballot pool, how can this determination be made without a vote? There appears to be an assumption that the ballot body/ballot pool will support the standard with enough edits when in reality the ballot body/ballot pool may have voted the SAR down in the first place. This is a gap in the process. (3) On page 20 in the last statement of section 4.4 (Develop Preliminary Draft of Reliability Standard, Implementation Plan and VRFs and VSLs), there is a conflicting statement. It states that the drafting team should seek stakeholder feedback on preliminary draft documents before the "team has finalized its Reliability Standard". The standard is not finalized in the section 4.4. This section deals with the preliminary draft. We suggest modifying the statement accordingly. (4) In the second paragraph of section 4.7 on page 21, there is a statement that the intent of the formal comment period is to seek feedback on the final draft. How can the draft be final until it is approved? We suggest modifying accordingly. (5) Section 4.8 states that the Director of Standards may authorize additions to the ballot pool for extraordinary circumstances such as death, retirement or disability. We would also like to see termination included as well. A company should be allowed to change its Registered Ballot Body member and have the member join a ballot pool at any time if the previous member's employment terminated. We understand that NERC has appropriately authorized this in the past and this essentially would update the Standards Process Manual to reflect this practice. (6) We are concerned that section 7.0 limits interpretations to the Requirements of a standard. Most interpretation requests will most likely be focused on the requirements. However, other sections such as the applicability of the standards can be confusing and are only becoming more complicated. For instance, PRC-023 applicability has been subject of some confusion and has even been subject of a NERC bulletin. Its applicability section is not just as simple as identifying an applicable entity. Furthermore, some standards are now including a Facilities section within the Applicability section. Interestingly, Facility is a defined term and sometimes the Facilities section includes items that do not meet the definition. What recourse does a registered entity have to determine applicability for these types of standards if they can't request an interpretation? (7) The first bullet listed in section 13.0 includes a phrase "complete review and review and associated revision". This phrase is confusing and needs to be

edited. (8) In response to our comments regarding the drafting teams reaching out to commenters in between postings to ensure they have addressed the commenters concerns, the comments indicated that the standards process manual would be updated to include this suggestion. We can find no such update to the standards process manual. (9) In response to comments, the SDT indicated it would update the SPM to reflect that interpretation drafting teams are required to notify the Standards Committee of reliability gaps but are not actually required to submit the SAR. This change was not fully implemented. In section 7.0 on page 32, the third paragraph still states that the interpretation drafting team shall submit the SAR. (10) In addition to the comments submitted here, we also support the comments submitted by NRECA.

Individual

Jason Snodgrass

Georgia Transmission Corp

Agree

National Rural Electric Cooperative Association (NRECA)

Group

Luminant

Brenda Hampton

Yes

Yes

We are disappointed that the development of RSAWs by the Drafting Teams has been removed and support further review of this proposal in the next round of improvements to the standards process.

Individual

Tony Kroskey

Brazos Electric Power Cooperative, Inc.

Agree

ACES Power Marketing

Individual

Darryl Curtis

Oncor Electric Delivery Company LLC

Yes

The drafting team attempts to resolve the inconsistency regarding how "No" votes without comments in Final Ballots are addressed in comparison to how "No" Ballots are handled in initial and additional Ballots by offering a footnote that states "during a Final Ballot, all "No" votes will be deemed to have commented or supported the comments of other groups during prior Formal Comment period." Oncor continues to take the position that "No" votes without comment should be considered for vote consensus. Oncor recommends the following language 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 with comment, a negative vote without comment, or an abstention excluding unreturned ballots; and A two-thirds majority of the weighted Segment votes cast shall be affirmative. The number of votes cast is the sum of affirmative votes, negative votes with comments, and negative votes without comments. This calculation of votes for the purpose of determining consensus excludes (i) abstentions, and (ii) non-responses." In addition, in order to implement and maintain an efficient balloting and commenting process, the a system re-design is needed to support establishing quorum consistency and stakeholder consensus. The current framework coupled with the proposed revised changes to the process is inadequate and could further create inefficiencies through having to manually manage correlating ballots with associated comments.

No

The waiver is unnecessary. Full implementation of SPIG recommendations will eliminate need for

waiver of any standards development process steps. If problems develop which challenge timely project completion, drafting teams and NERC management need to efficiently resolve the matters. With the establishment of RISC to provide oversight and guidance on the need for new or revised Standards coupled with strong NERC management and Stakeholder commitment to define specific milestones and deadlines will ensure timely development.

Section 2.4 In order to maintain consistency, Oncor recommends the following changes to the definition of Performance Based Requirements: Performance Based Requirements define a specific reliability objective or outcome achieved by one or more entities that have a direct, observable effect on the reliability of the Bulk Power System. i.e. an effect that can be measured using power system data or trends. In its simplest form, a (remove - results-based) Performance Based requirement has four components: who, under what conditions (if any), shall perform what action, to achieve what particular result or outcome. Section 2.5 – Section 2.5 defines the components of a Reliability Standard to include Title, Number, Purpose, Effective Dates, Requirement, Measure, VRF and VSL. Yet, in the closing paragraph, Measures are not listed as an enforceable component of a Reliability Standard. For clarity and consistency, Oncor takes the position that Measures should either not be listed as a component of a Reliability Standard, or it should be added as an enforceable component of a Reliability Standard. Section 3.4 Under the current Standards Manual, the Standards Committee has the right to remand work to a drafting team, to reject the work of a drafting team, or to accept the work of a drafting team. On the other hand, the current draft document provides those same powers, but now proposes to reach further, by granting the Standards Committee the additional power to disband a drafting team that has been selected by stakeholder consensus. Oncor proposes that the current authority to remand, reject, or accept the work of a drafting team is sufficient, and no further authority is necessary. Section 4.5 Oncor is in agreement that informal comment periods on draft documents can be accomplished in a number of ways besides the current, 30 day informal comment period. These additional options include webinars, workshops and other mechanisms. Section 4.6 Oncor is in agreement that the Quality Review of a draft Reliability Standard should begin at the initial stage of the standard’s development instead of beginning at the completion of the final draft. Section 4.9 Oncor proposes the following changes to this sentence: If the last day of the ballot window falls on a Saturday, Sunday or a national holiday, the period does not end until the next business day. Section 4.15 Section 4.15 – Under Section 4.15, there are no limits to the number of public comment periods and ballots that can be conducted for a Final Ballot. The following statement appears contradictory and requires additional clarity: “The Standards Committee has the authority to conclude this process for a particular Reliability Standards action if it becomes obvious that the drafting team cannot develop a Reliability Standard that is within the scope of the associated SAR, is sufficiently clear to be enforceable, and achieves the requisite weighted Segment approval percentage.” Section 8.0 – Appeals Process Section 8 of the proposed SPM addresses the right of any entity to appeal an action or inaction that has directly and materially adversely affected interests related to the development, approval, revision, reaffirmation, retirement or withdrawal of a Reliability Standard. The current process does not address the compliance status of the affected entity during a Level 1 or Level 2 Appeals process. Oncor suggests that the entity appeals process include an exemption during the review.