

Background:

The drafting team working on adding measures and compliance elements to 22 Version 0 standards thanks all commenters who submitted comments on the first draft of their proposed approach to adding those missing measures and compliance elements. The draft approach and a sample of the application of that approach were posted for an initial public comment period from February 17, 2006 through March 20, 2006. The drafting team asked stakeholders to provide feedback through a special Comment Form. There were 15 sets of comments submitted.

Based on the comments received, the drafting team has revised its approach to adding missing measures and compliance elements and is applying that revised approach to the 22 Version 0 standards that were ‘incomplete’ when approved.

In this ‘Consideration of Comments’ document, stakeholder comments have been organized so that it is easier to see the summary of changes in response to each aspect of the drafting team’s approach to adding the missing measures and compliance elements.. All comments received on the can be viewed in their original format at:

http://www.nerc.com/~filez/standards/Compliance_Cleanup_V0.html

If you feel that your comment has been overlooked, please let us know immediately. Our goal is to give every comment serious consideration in this process! If you feel there has been an error or omission, you can contact the Vice President and Director of Standards, Gerry Cauley at 609-452-8060 or at gerry.cauley@nerc.net. In addition, there is a NERC Reliability Standards Appeals Process.¹

¹ The appeals process is in the Reliability Standards Process Manual: <http://www.nerc.com/standards/newstandardsprocess.html>.

Index to Questions, Comments and Responses:

1. Do you agree with the CESDT’s approach to adding Measures as identified in the six items above? If you disagree, please identify which item you disagree with and explain why you disagree.3

2. Do you agree with the CESDT’s approach to adding the “Compliance Monitoring Period and Reset Time Frame” as identified above? If not, please explain why you disagree. 13

3. Do you agree with the CESDT’s approach to adding the “Data Retention” periods as identified in the five items above? If you disagree, please identify which item you disagree with and explain why you disagree. 18

4. Do you agree with the CESDT’s approach to using the four methods of assessing compliance as identified above for the “Additional Compliance Information” section of the standards? If you disagree, please identify which item you disagree with and explain why you disagree.23

5. Do you agree with the approach that CESDT has taken as identified above for the “Levels of Non-Compliance?” If not, please explain why you disagree.27

6. Do you agree with the Measures drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.34

7. Do you agree with the Compliance Monitoring Process drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.39

8. Do you agree with the Levels of Non-compliance drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.45

9. If you have additional comments on the approach developed by the CESDT in completing the measures and compliance elements of the 22 Version 0 Standards or specific comments on COM-001 that you haven’t already mentioned above, please provide it here and be as specific as possible.56

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

- 1. Do you agree with the CESDT’s approach to adding Measures as identified in the six items above? If you disagree, please identify which item you disagree with and explain why you disagree.**

Summary Consideration: Several commenters indicated concern that by adding examples to the measures, some entities may interpret the list of examples as being all inclusive. The drafting team included language in the sample standard to show that the examples are not intended to be all inclusive. The phrase used by the drafting team for the sample standard says:

“. . . shall provide evidence that could include, but is not limited to . . . or other equivalent evidence, to confirm that they meet Requirement n.”

The drafting team has decided to assemble a list of requirements for which measures cannot be developed and a list of duplicative requirements and will present the lists to the SAC for additional work as part of a separate standard development activity instead of making individual recommendations for interpretations and SARs.

Several commenters indicated that the language in item 5 below needed clarification. The drafting team eliminated the qualifying statements so that the revised approach is more succinct and merely identifies the duplication – leaving it up to others to address the duplication.

Based on these comments, the drafting team made changes to its approach to adding measures as shown below:

CESDT Approach to Adding “Measures” to the 22 Version 0 Standards:

1. Each Requirement will have at least one Measure; a Measure may be used for more than one Requirement.
2. If a Measure requires ‘evidence,’ ~~but the type of evidence isn’t specified in the requirement,~~ then examples of the types of evidence that would support compliance to the Requirement will be included in the measure ~~and the following phrase will be used to clarify that the list of evidence is not all-inclusive:~~ “. . . shall provide evidence that could include, but is not limited to . . . or other equivalent evidence, to confirm that they meet Requirement n.”
3. If a Requirement is prescriptive, then the evidence required will match that prescription.
4. If the CESDT cannot develop an effective “Measure” for a requirement, a ‘temporary’ comment will be added to explain why no measure was added. ~~The CESDT will recommend that either an interpretation be developed or a SAR be submitted to address the requirement.~~
5. If the CESDT determines that the intent of a Requirement is essentially duplicated in another Standard, ~~and there is no Measure in the other Standard, the CESDT will develop a Measure, and~~ a footnote will be added to identify the associated duplicate Measure. ~~If there is a question about the duplication the drafting team will ask stakeholders for feedback.~~

Commenter	Yes	No	Comment
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Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Entergy Transmission (1) Maurice Casadaban		✓	<p>Item 2 above. The wording used in the Measures is unclear. There are two problems;</p> <p>1) It may still allow an auditor to require evidence in addition to the “examples” given in the Measure, and</p> <p>2) it is potentially prescriptive in nature. In other words an auditor may require one of the “examples” as proof and not allow compliance to be proven by some other means. Suggested wording would be,</p> <p>“Provide evidence of compliance with Requirement X. Examples of such evidence that would prove compliance are XXX, XXX and XXX. However, other evidence may be used to prove compliance exclusive of the examples listed above.”</p> <p>Regarding Item 1, each requirement should be clearly correlated to the associated measure(s)</p>
<p>Response: The language adopted by the drafting team includes the following phrase:</p> <p>“ . . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>Each measure will include a reference to its associated requirement or requirements.</p>			
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT		✓	<p>The SES is charged by the Planning Committee to "assess the effectiveness of new reliability standards to ensure that they meet planning and analysis needs."</p> <p>Therefore, having reviewed this SAR, the SES commends the CESDT's work and in general supports its approach. The SES offers these comments in support of striving to improve the approach presented by the CESDT:</p> <p>#1 & #4. The SES agrees, that each Requirement in a Reliability Standard should have at least one measure. The SES agrees with the CESDT that should the CESDT be unable to develop an effective measure, a 'temporary' comment should be added to explain why no measure was added. The SES however, believes this comment should trigger the SAC to initiate a SAR to either further refine or eliminate the Requirement from the Standards. The SES is concerned that in the future, NERC or its successor ERO, may try to hold the industry compliant for a Requirement for which no effective measure could be developed. In this respect, the SES believes the work of the CESDT is critical.</p> <p>#2. The SES is of mixed opinion regarding this approach. The SES appreciates the effort made by the CESDT in providing samples and duly notes that in the standards there is the disclaimer that "...could include, but is not limited to..."; however, the SES is concerned that over time these lists of measures may become de facto standards. The SES suggests the CESDT look at proposing a definition for 'Evidence'.</p> <p>#3 & #5. The SES agrees with this approach.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>Response:</p> <p>The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p> <p>The CESDT is not trying to create de-facto requirements, but merely demonstrate examples of certain (and the most probable) types that can be used to demonstrate compliance.</p> <p>The language adopted by the drafting team includes the following phrase:</p> <p style="padding-left: 40px;">“. . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p>			
<p>ATC (1) Jason Shaver</p>		<p>✓</p>	<p>In general ATC is in agreement with the CESDT approach to adding “Measures” to the 22 Version 0 Standards referenced; however, ATC has a few concerns regarding the details of the approach. ATC appreciates the CESDT’s assistance in providing "examples" of evidence. If the "examples" are intended to be demonstrative but not exhaustive, the standard should explicitly state that other forms of "evidence" demonstrating an organization’s compliance with the standard will also be allowed.</p> <p>If the CESDT cannot develop an effective “Measure” for a requirement, ATC suggests that the industry be allowed to vote to remove the requirement from the Standard. It is inconceivable to hold the industry to a requirement that has no ability to be measured.</p> <p>ATC believes that Item 5 requires clarification. In terms of, "a footnote will be added to identify the associated duplicate Measure," ATC recommends the CESDT review each of the 22 Version 0 Standards and determine whether or not a standard or requirement is a duplicate of any other standard or requirement. If it is a duplicate, one or the other requirement should be deleted to avoid potential confusion and potential conflicts between standards. For example, if the requirements under COM-001 duplicate those under the Cyber Security Standard, ATC recommends that the CESDT eliminate the duplicate requirements by eliminating one of the requirements.</p>
<p>Response: The language adopted by the drafting team includes the following phrase:</p> <p style="padding-left: 40px;">“. . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p> <p>The removal of a requirement is beyond the scope of the CESDT. Duplications noted by the team will be reported to the SAC. This does not preclude a stakeholder from initiating a SAR to remove a duplicate requirement.</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.</p>		✓	<p>Many standards including COM-001-1 have vague requirements. Requirements should have explicitly stated technical, performance, or preparedness requirements. Each requirement should identify who is responsible and what action is to be performed or what outcome is to be achieved. Any requirement that falls short of this threshold should be placed in a reference document. If the same or a similar requirement exists in another standard the requirements should be consolidated into one requirement in one standard. Based on the proposed measures for COM-001-1 it appears that the drafting team is attempting to compensate for the lack of clarity in the requirements by adding requirements in the measures. This practice is not consistent with the NERC standards process manual and is not an acceptable practice. NERC has a window of opportunity to clarify requirements in standards. Failure to clarify requirements will leave the requirements subject to interpretation of auditors. With the introduction of penalties, standard requirements need to be clear so the entities that are subject to the audits know what needs to be done to meet the requirements of the standard.</p>
<p>Response: While it is clear that the industry does not feel the all of requirements are as clear as possible, the team has only tried to provide examples of what could be used to comply with existing requirements, while still allowing for evidence not listed to be considered. The team feels that the current measures do not try to add to the requirements, but only try to provide clarity of what is needed to comply with the existing requirements.</p> <p>Changing the requirements is not part of the team's charter. The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			
<p>PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras</p>		✓	<p>(items 1 and 4) We support the CESDT approach to ensure that each requirement in a reliability standard has an applicable measure and that if a requirement cannot be effectively measured that a note be inserted into the standard.</p> <p>(item 5) With regards to duplicate requirements, we believe that the drafting team meant to say "if there is no Measure in the other standard, the CESDT will develop a Measure, and a footnote will be added to identify the associated duplicate "requirement and associated standard". In the case where a measure exists already, we would assume that the DT would also add a note that</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>compliance would be evaluated using standard XXX-001.</p> <p>(item 2) We think the CESDT has provided a valuable service by suggesting 'types of evidence' in each measure where the requirement is silent. However, we are concerned that applying these types of 'evidence' will become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.</p> <p>We suggest that until the specific requirements are revised to clearly state what is the expected performance, that the term "evidence" be defined elsewhere in the standard and not be included in the specific measures nor in the additional compliance information section.</p> <p>Isn't there also a possibility that a particular requirement is not appropriate? Under the proposed process, an inappropriate standard would be de facto raised to the level of a Mandatory Reliability Standard. There should be an option in the proposed process to at least highlight the fact that a given standard/requirement may in fact be questionable BEFORE it is given a Measurement et al.</p>
<p>Response:</p> <p>The removal of a requirement is beyond the scope of the CESDT. Duplications noted by the team will be reported to the SAC. This does not preclude a stakeholder from initiating a SAR to remove a duplicate requirement.</p> <p>The CESDT is not trying to create de-facto requirements, but merely demonstrate examples of certain (and the most probable) types that can be used to demonstrate compliance. We agree that it should not prohibit the introduction of other types of evidence, and believe the existing wording encourages that concept. The language adopted by the drafting team includes the following phrase:</p> <p style="padding-left: 40px;">“. . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>The drafting team did not think it could develop a definition of 'evidence' that would meet industry consensus.</p> <p>Changing the requirements is not part of the team's charter. The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			
<p>ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2)</p>		<p>✓</p>	<p>(items 1 and 4) We support the CESDT approach to ensure that each requirement in a reliability standard has an applicable measure and that if a requirement cannot be effectively measured that a note be inserted into the standard. We fully agree that there needs to be at least one measure for each requirement. Given that to be the case, we suggest that the requirement number to which the measure applies be included.</p> <p>(item 5) With regards to duplicate requirements, we believe that the drafting team meant to say "if</p>

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Commenter	Yes	No	Comment
Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)			<p>there is no Measure in the other standard, the CESDT will develop a Measure, and a footnote will be added to identify the associated duplicate "requirement and associated standard". In the case where a measure exists already, we would assume that the DT would also add a note that compliance would be evaluated using standard XXX-001.</p> <p>(item 2) We think the CESDT has provided a valuable service by suggesting 'types of evidence' in each measure where the requirement is silent. However, we are concerned that applying these types of 'evidence' will become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.</p> <p>We suggest that until the specific requirements are revised to clearly state what is the expected performance, that the term "evidence" be defined elsewhere in the standard and not be included in the specific measures nor in the additional compliance information section.</p> <p>Isn't there also a possibility that a particular requirement is not appropriate? Under the proposed process, an inappropriate standard would be de facto raised to the level of a Mandatory Reliability Standard. There should be an option in the proposed process to at least highlight the fact that a given standard/requirement may in fact be questionable BEFORE it is given a Measurement et al.</p>
<p>Response: we agree and are inserting the requirement number into the measure in future postings.</p> <p>The removal of a requirement is beyond the scope of the CESDT. Duplications noted by the team will be reported to the SAC. This does not preclude a stakeholder from initiating a SAR to remove a duplicate requirement.</p> <p>The drafting team is assembling a list of that stakeholders have identified as duplicative and will present the list to the SAC for additional work as part of a separate standard development activity.</p> <p>The CESDT is not trying to create de-facto requirements, but merely demonstrate examples of certain (and the most probable) types that can be used to demonstrate compliance. We agree that it should not prohibit the introduction of other types of evidence, and believe the existing wording encourages that concept. The language adopted by the drafting team includes the following phrase:</p> <p style="padding-left: 40px;">“. . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>The drafting team did not think it could develop a definition of 'evidence' that would meet industry consensus.</p> <p>Changing the requirements is not part of the team's charter. The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			
Northeast Power Coordinating Council		✓	NPCC participating members generally support the CESDT approach noted and further suggest the requirement number to which the measure applies be included in each measure.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)</p>			<p>While we believe the CESDT provided a valuable service by suggesting 'types of evidence' in the measures where the requirement is silent, we are concerned that by doing so, these types of 'evidence' become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.</p> <p>We further suggest that until the specific requirements are revised to clearly state what is the expected performance, that the term "evidence" be defined elsewhere in the standard and not be included in the specific measures nor in the additional compliance information section.</p> <p>We also share the view the possibility exists where an existing requirement may be inappropriate. There should be an option in the proposed process to highlight this fact that a given standard/ requirement may in fact be questionable BEFORE it is given a Measurement at all.</p> <p>With regards to item 5 - duplicate requirements, we believe that the drafting team meant to say "if there is no Measure in the other standard, the CESDT will develop a Measure, and a footnote will be added to identify the associated duplicate "requirement and associated standard".</p>
<p>Response: we agree and are inserting the requirement number into the measure in future postings.</p> <p>The CESDT agrees that in the long run, modifications might need to be made to the requirements. The CESDT's scope does not allow for modifications to the requirements. The types of evidence should only be used as a list of examples where appropriate, stating when alternate evidence could be provided for evaluation by the monitoring entity.</p> <p>The drafting team did not think it could develop a definition of 'evidence' that would meet industry consensus.</p> <p>Changing the requirements is not part of the team's charter. The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p> <p>The removal of a requirement is beyond the scope of the CESDT. Duplications noted by the team will be reported to the SAC. This does not preclude a stakeholder from initiating a SAR to remove a duplicate requirement.</p>			
<p>NYISO (2) Michael Calimano</p>		<p>✓</p>	<p>(items 1 and 4) The NYISO supports the CESDT approach to ensure that each requirement in a reliability standard has an applicable measure and that if a requirement cannot be effectively measured that a note be inserted into the standard. We fully agree that there needs to be at least one measure for each requirement. Given that to be the case, we suggest that the requirement number to which the measure applies be included.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>(item 5) With regards to duplicate requirements, we believe that the drafting team meant to say "if there is no Measure in the other standard, the CESDT will develop a Measure, and a footnote will be added to identify the associated duplicate "requirement and associated standard". In the case where a measure exists already, we would assume that the DT would also add a note that compliance would be evaluated using standard XXX-001.</p> <p>(item 2) We think the CESDT has provided a valuable service by suggesting 'types of evidence' in each measure where the requirement is silent. However, we are concerned that applying these types of 'evidence' will become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.</p> <p>We suggest that until the specific requirements are revised to clearly state what is the expected performance, that the term "evidence" be defined elsewhere in the standard and not be included in the specific measures nor in the additional compliance information section.</p> <p>Isn't there also a possibility that a particular requirement is not appropriate? Under the proposed process, an inappropriate standard would be de facto raised to the level of a Mandatory Reliability Standard. There should be an option in the proposed process to at least highlight the fact that a given standard/requirement may in fact be questionable BEFORE it is given a Measurement et al.</p>
<p>Response: we agree and are inserting the requirement number into the measure in future postings.</p> <p>The removal of a requirement is beyond the scope of the CESDT. Duplications noted by the team will be reported to the SAC. This does not preclude a stakeholder from initiating a SAR to remove a duplicate requirement.</p> <p>The CESDT is not trying to create de-facto requirements, but merely demonstrate examples of certain (and the most probable) types that can be used to demonstrate compliance. We agree that it should not prohibit the introduction of other types of evidence, and believe the existing wording encourages that concept. The language adopted by the drafting team includes the following phrase:</p> <p style="padding-left: 40px;">“. . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>The drafting team did not think it could develop a definition of 'evidence' that would meet industry consensus.</p> <p>Changing the requirements is not part of the team's charter. The drafting team will assemble a list of requirements for which measures cannot be developed (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			
<p>IESO (2) Ron Falsetti</p>	<p>✓</p>		<p>We generally support the CESDT approach noted and further suggest the requirement number to which the measure applies be included in each measure.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>While we believe the CESDT provided a valuable service by suggesting 'types of evidence' in the measures where the requirement is silent, we are concerned that by doing so, these types of 'evidence' become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.</p> <p>We also share the view the possibility exists where an existing requirement may be inappropriate. There should be an option in the proposed process to highlight this fact that a given standard/ requirement may in fact be questionable BEFORE it is given a Measurement at all.</p>
<p>Response: The CESDT agrees that in the long run, modifications might need to be made to the requirements. The CESDT's scope does not allow for modifications to the requirements. The language adopted by the drafting team includes the following phrase:</p> <p>“ . . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>Modifying or eliminating requirements is beyond the scope of this drafting team. If a commenter feels that a requirement is vague or inappropriate, the CESDT encourages the commenter to submit a SAR to fix that requirement or standard.</p>			
<p>Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)</p>	<p>✓</p>		<p>2. Examples of evidence should be clearly labeled as "Typical" and should in no way prohibit the introduction of other types of evidence based on electronic data storage or other technologically advanced forms or evidence that may be developed. They should also be applied to groups of requirements/measures where feasible to avoid needless (and silly looking) repetition in lists of similar measures (such as the measures in COM-001).</p>
<p>Response: The language adopted by the drafting team includes the following phrase:</p> <p>“ . . . shall provide evidence that could include but is not limited to . . . or other equivalent evidence. . . “</p> <p>The team believes this language makes it clear that the examples that are listed are not the only evidence that is accepted and that if an entity produced other evidence to demonstrate compliance, that evidence would be considered by the Compliance Monitor.</p> <p>The team will try to write a single measure for multiple requirements when practical.</p>			
<p>MAAC (2) John Horakh</p>	<p>✓</p>		<p>For point number 5 above, it is not clear how the duplicate Requirement in the other Standard will be eliminated. The footnote alone will not do this.</p>
<p>Response: The removal of a requirement is beyond the scope of the CESDT. The drafting team will assemble a list of duplicate requirements (based on stakeholder comment) and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
TVA (1) Kathleen Davis	✓		
AEP (1, 5, 6) James H. Sorrels, Jr.	✓		
Allegheny Power (1) William J. Smith	✓		
Cinergy (1, 3, 6) Jeffrey T. Baker	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

2. Do you agree with the CESDT’s approach to adding the “Compliance Monitoring Period and Reset Time Frame” as identified above? If not, please explain why you disagree.

Summary Consideration: Most commenters disagreed with the proposed approach which would have required an entity that discovered its own violation to report that violation to its RRO within 24 hours, so the drafting team will not include this in the proposed compliance elements.

CESDT Approach to Adding “Compliance Monitoring Period and Reset Time Frame” to the 22 Version 0 Standards:
~~If the violation or charge of violation of a Requirement is deemed to have serious implications with regards to reliability of the Bulk Electrical System, the entity involved will be directed to inform the Regional Reliability Organization within 24 hours of the violation or charge of violation, and the Regional Reliability Organization will notify NERC within 48 hours.~~

The following response shall serve as the response to all comments submitted on this question.

We are removing the 24 hour reporting requirement from the proposed standard structure and return it to the current decision-making bodies.

Commenter	Yes	No	Comment
Cinergy (1, 3, 6) Jeffrey T. Baker		✓	If an entity is charged with a violation of a Requirement that is deemed to have serious implications to reliability the auditing entity should have the responsibility of informing the RRO of the violation or charge of violation. The entity charged should not be the entity to notify the RRO.
Entergy Transmission (1) Maurice Casadaban		✓	Should say, within 24 hours of becoming aware of the violation.
IESO (2) Ron Falsetti		✓	We agree that each standard should have the same common format and sections. However, the information shown in the yellow box above does not match this question. While we agree that reporting of a violation can be useful for event driven, need-to-know information, record and follow up action purposes, we do not agree that there is urgency to report within the prescribed time periods noted in the yellow box. Requirements which require 48 hour notification of violations should be determined annually as they are now by the CCMC and approved by the BOT, not the drafting teams. The determination of which standards need 48 hour reporting is a process question and should not be part of the actual

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>standard. We would not want to have to repost and ballot these standards for this type of change. We suggest excluding reference to 48 hour reporting in a standard.</p> <p>Moreover, the term "deemed to have serious implications with regards to reliability of the Bulk Electrical System" needs to be defined and that would require some time for obtaining industry consensus. Providing the missing measures and compliance elements at this time should be priority, rather than introducing elements that may not add much value to the standard development process.</p> <p>If such reporting requirements are needed, they are best introduced as requirements in the appropriate standards at their future revisions.</p> <p>Note that any corrective actions to remedy the adverse impacts of a violation, if any, would be directed by the concerned reliability functional entities. Under such situation, these entities' priority would be to mitigate, contain and minimize the adverse impacts.</p>
<p>Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)</p>		✓	<p>In our opinion, the determination of "serious implications" should not be made by the CESDT alone or by the CCMC, but must be determined through the ANSI approved standards development process by a team of industry experts following standardized guidelines such as those that are currently being developed by Dave Hilt.</p>
<p>MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2)</p>		✓	<p>There is no reset time frame discussed in the approach. EOP-004-0 Disturbance Reporting already addresses reporting disturbances and unusual events within 24 hours regardless of the connection of the event with a violation of a standard requirement. Any other 24 hour or 48 hour reporting would be an administrative burden and would not add any value to the reliable operation of the Bulk Electric System.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.			
PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras		✓	<p>We agree that each standard should have the same common format and sections. Section D of each standard should have the 1.1 Compliance Monitoring Responsibility; 1.2 Compliance Monitoring (Process) and Reset Time Frames; 1.3 Data retention; and 1.4 Additional Compliance Information. This information is contained in the draft COM-001 standard. However, the information shown in the yellow box above does not match this question.</p> <p>Those standards which require 48 hour notification of violations are determined annually by NERC staff and the CCMC and not the drafting teams. The inclusion of which standards that need 48 hour reporting standards is a process question and not part of the actual standard. We would not want to have to repost and ballot these standards for this type of change. We suggest not including 48 hour reporting in a standard.</p>
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)		✓	<p>We agree that each standard should have the same common format and sections. Section D of each standard should have the 1.1 Compliance Monitoring Responsibility; 1.2 Compliance Monitoring (Process) and Reset Time Frames; 1.3 Data retention; and 1.4 Additional Compliance Information. This information is contained in the draft COM-001 standard. However, the information shown in the yellow box above does not match this question.</p> <p>While we agree that reporting of a requirement violation can be useful for need-to-know information, record and follow up action purposes, we do not agree that there is any urgency to report within the prescribed time periods. Note that any corrective actions to remedy the adverse impacts of a violation, if any, would be directed by the concerned reliability functional entities. Under such situation, these entities' priority would be to mitigate, contain and minimize the adverse impacts. Reporting to the RRO and NERC should be placed at a slightly lower priority. Additionally, the term "deemed to have serious implications with regards to reliability of the Bulk Electrical System" needs to be defined and that would require some time for obtaining industry consensus. Providing the missing measures and compliance elements at this time should have higher priority than introducing elements that may not add much value to the standard development process. If such reporting requirements are needed, they are best introduced as requirements in the appropriate standards at their future revisions.</p> <p>Those standards which require 48 hour notification of violations are determined annually by NERC staff and the CCMC and not the drafting teams. The inclusion of which standards that need 48 hour reporting standards is a process question and not part of the actual standard. We would not want to</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			have to repost and ballot these standards for this type of change. We suggest not including 48 hour reporting in a standard.
<p>Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1 W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)</p>		✓	<p>NPCC participating members agree that each standard should have the same common format and sections. However, the information shown in the yellow box above does not match this question.</p> <p>While we agree that reporting of a violation can be useful for event driven, need-to-know information, record and follow up action purposes, we do not agree that there is urgency to report within the prescribed time periods noted in the yellow box.</p> <p>Requirements which require 48 hour notification of violations should be determined annually as they are now by the CCMC and approved by the BOT, not the drafting teams. The determination of which standards need 48 hour reporting is a process question and should not be part of the actual standard. We would not want to have to repost and ballot these standards for this type of change. We suggest excluding reference to 48 hour reporting in a standard.</p> <p>Moreover, the term "deemed to have serious implications with regards to reliability of the Bulk Electrical System" needs to be defined and that would require some time for obtaining industry consensus. Providing the missing measures and compliance elements at this time should be priority, rather than introducing elements that may not add much value to the standard development process.</p> <p>If such reporting requirements are needed, they are best introduced as requirements in the appropriate standards at their future revisions.</p> <p>Note that any corrective actions to remedy the adverse impacts of a violation, if any, would be directed by the concerned reliability functional entities. Under such situation, these entities' priority would be to mitigate, contain and minimize the adverse impacts.</p>
<p>NYISO (2) Michael Calimano</p>		✓	<p>The NYISO agrees that each standard should have the same common format and sections. However, the information shown in the yellow box above does not match this question.</p> <p>While we agree that reporting of a requirement violation can be useful for need-to-know information, record and follow up action purposes, we do not agree that there is any urgency to report within the prescribed time periods. Note that any corrective actions to remedy the adverse impacts of a violation, if any, would be directed by the concerned reliability functional entities. Under such situation, these entities' priority would be to mitigate, contain and minimize the adverse impacts. Reporting to the RRO and NERC should be placed at a slightly lower priority. Additionally, the term "deemed to have serious implications with regards to reliability of the Bulk Electrical System" needs to be defined and that would require some time for obtaining industry consensus. Providing the missing measures and compliance elements at this time should have higher priority than introducing elements that may not add much value to the standard development process. If such reporting requirements are needed, they are best introduced as requirements in the appropriate</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			standards at their future revisions. Those standards which require 48 hour notification of violations are determined annually by NERC staff and the CCMC and not the drafting teams. The inclusion of which standards that need 48 hour reporting standards is a process question and not part of the actual standard. We would not want to have to repost and ballot these standards for this type of change. We suggest not including 48 hour reporting in a standard.
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT		✓	The SES is uncertain if the CESDT with this effort is the best forum to deem whether a violation of a requirement will have a "serious implication" to the BES. The SES believes the current effort underway with the Violation Risk Matrix effort is the more appropriate place, with sufficient stakeholder review, for this determination.
ATC (1) Jason Shaver	✓		In general, ATC supports the CESDT's approach to adding "Compliance Monitoring Period and Reset Time Frame" to the 22 Version 0 Standards; however, "serious implications with regard to reliability of the Bulk Electric System" needs to be defined.
MAAC (2) John Horakh	✓		"Serious implications" is a judgment call. Will the CESDT make this judgment on their own, or will they seek guidance from the industry?
AEP (1, 5, 6) James H. Sorrels, Jr.	✓		
Allegheny Power (1) William J. Smith	✓		
TVA (1) Kathleen Davis	✓		

3. Do you agree with the CESDT's approach to adding the "Data Retention" periods as identified in the five items above? If you disagree, please identify which item you disagree with and explain why you disagree.

Summary Consideration: Many commenters indicated that a four year retention cycle would be too onerous for many types of data. The drafting team modified this to a default of keeping data for current year and previous two years. In addition, the drafting team added a retention requirement for data associated with triggered investigations. The drafting team will ask stakeholders to provide specific feedback on the data retention requirements proposed for each individual standard.

CESDT Approach to Adding "Data Retention" Periods to the 22 Version 0 Standards

If a standard needs specific retention rules for evidential data these may be developed, otherwise the default retention periods for this set of standards will be:

1. If compliance is measured by self-certification, routine periodic audit, or spot audit, then evidential data must be retained for the current year and previous two ~~four~~ years unless stated otherwise in the Measures. ~~(This complements the three year periodic audit cycle.) However, if retaining a specific type of evidence would result in an unreasonable amount of information storage, the CESDT may define a shorter retention period than four years for that evidence.~~
- ~~2. If compliance is measured by self-certification then evidential data used as proof of compliance for the self-certification audit must be retained until the next periodic audit.~~
- ~~3. If compliance is measured by spot audit, then evidential data must be retained for at least four years.~~
2. If compliance with a requirement is measured by a triggered investigation, then evidential data associated with that requirement must be retained by the entity being investigated for one year from the date that the investigation is closed, as determined by the Compliance Monitor.
43. If an entity is found non-compliant the entity shall keep information related to the noncompliance until found compliant or for two years plus current, whichever is longer.
54. The Compliance Monitor shall keep the last periodic audit report and all requested and submitted subsequent compliance records.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
ATC (1) Jason Shaver		✓	The CESDT has not identified the data retention period for a requirement/measure that will only be audited when triggered by an investigation. Please see ATC's comment to question 7.
Response: We agree. The team has included a data retention period for triggered investigations.			
MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.		✓	Data retention should be specific to each standard. Some standards such as INT-001-0 require a large volume of operational data. Data retention should be sufficient to measure compliance with the standards. Four years of data is excessive and provides no benefit to reliable operation of the Bulk Electric System.
Response: We agree, but some data retention requirements are fairly standard. Some common data retention requirements would be acceptable, while others would need to have specific exceptions outlined.			
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2)		✓	We generally agree with the proposed retention periods but would suggest that an exception also be made for the "one of" audit or certification process, e.g. entity certification which is a one-time, initial process for which the data retention period should be much shorter.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)			
<p>Response: Noted. We would expect that certain retention periods might be shorter, and your specific item might have merit. The industry will have a chance to comment on the retention requirements for each standard in a future posting.</p>			
Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)	✓		While NPCC participating members agree with the data retention requirements, we believe a generic retention period be specified for all standards and it be referenced. Only include retention period exceptions in individual standard when they need to deviate form the generic retention period; such as the "one of" audit or certification process, e.g. entity certification which is a one-time, initial process for which the data retention period should be much shorter.
<p>Response: This is a good suggestion, but should be applied to all standards at the same time in the future to avoid confusion. The commenter is encouraged to submit a SAR to that purpose.</p> <p>We would expect that certain retention periods might be shorter, and your specific item might have merit. The industry will have a chance to comment on the retention requirements for each standard in a future posting.</p>			
NYISO (2) Michael Calimano	✓		The NYISO generally agrees with the proposed retention periods but would suggest that an exception also be made for the "one of" audit or certification process, e.g. entity certification which is a one-time, initial

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			process for which the data retention period should be much shorter.
<p>Response: Noted. We would expect that certain retention periods might be shorter, and your specific item might have merit. The industry will have a chance to comment on the retention requirements for each standard in a future posting.</p>			
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT	✓		The SES agrees with the CESDT's approach to adding Data Retention compliance issues. However, the SES believes it may be appropriate for some standards with large data requirements to specify, within the standard itself, its own data retention. Unless a specific data retention statement is included, the CESDT approach should be utilized as a backstop.
<p>Response: Agree. This supports the drafting team's approach.</p>			
IESO (2) Ron Falsetti	✓		While we agree with the data retention requirements, we believe a generic retention period be specified for all standards and it be referenced. Only include retention period exceptions in individual standard when they need to deviate from the generic retention period; such as the "one of" audit or certification process, e.g. entity certification which is a one-time, initial process for which the data retention period should be much shorter.
<p>Response: This is a good suggestion, but should be applied to all standards at the same time in the future to avoid confusion. The commenter is encouraged to submit a SAR to that purpose.</p>			
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)	✓		Operational performance measures generally fall within the realm of no. 2 above. In our opinion, such "real time" measures should be kept for the current year plus one previous year. That is, on Dec.31 you would have two years of data. On Jan. 1, you would have one year (the previous year) of data.
<p>Response: The drafting team consulted with the NERC's Compliance Staff and they indicated that the preference is to have an audit trail that includes two years plus current. The drafting team will ask stakeholders to provide specific feedback on the data retention requirements proposed for each individual standard.</p>			
Cinergy (1, 3, 6) Jeffrey T. Baker	✓		
Entergy Transmission (1) Maurice Casadaban	✓		
AEP (1, 5, 6)	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
James H. Sorrels, Jr.			
MAAC (2) John Horakh	✓		
Allegheny Power (1) William J. Smith	✓		
Allegheny Power (1) William J. Smith	✓		
PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras	✓		
TVA (1) Kathleen Davis	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

4. Do you agree with the CESDT’s approach to using the four methods of assessing compliance as identified above for the “Additional Compliance Information” section of the standards? If you disagree, please identify which item you disagree with and explain why you disagree.

Summary Consideration: Many commenters noted that the posted comment form had the wrong headings and these have been corrected. The drafting team added language, suggested in the comments, to give the compliance monitor the ability to grant extensions, on a case-by-case basis, to the time period for providing data.

CESDT Approach to Adding “~~Additional Compliance Information~~ Compliance Monitoring Process” to the 22 Version 0 Standards

Under the “~~Additional Compliance Information~~ Compliance Monitoring Process” each standard will include one or more of the following methods to assess compliance:

1. Self-certification (Conducted annually with submission according to schedule.)
2. Spot Check Audits (Conducted anytime with up to 30 days notice given to prepare.)
3. Periodic Audit (Conducted once every three years according to schedule.)
4. Triggered Investigations (Conducted within 60 days of an event or complaint of noncompliance with up to 30 days notice given to prepare. **An entity may request an extension and the extension shall be considered by the Compliance Monitor on a case-by-case basis.**)

Commenter	Yes	No	Comment
IESO (2) Ron Falsetti		✓	This information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame.
Response: The heading in the box has been corrected.			
MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2)		✓	In item 4, the potential exists where, depending on the severity of an event, the information and/or data required for an investigation may take more than 30 days to gather. It is recommended to add language where requests can be made for an extension.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Dennis Florum – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.			
<p>Response: The drafting team added language to allow the Compliance Monitor to grant entities an extension to the time period for providing data – this supports your suggestion.</p>			
PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras		✓	<p>This information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame.</p> <p>The 'Additional Compliance Information' section should be supporting documents such as training manuals, reference documents, etc. which explain how the requirements are calculated. The draft standard COM-001 followed this format, not the one suggested in the yellow box. Another good example is Standard PER-003.</p>
<p>Response: The heading in the box has been corrected.</p>			
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2)		✓	<p>This information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame.</p> <p>The 'Additional Compliance Information' section should be supporting documents such as training manuals, reference documents, etc. which explain how the requirements are calculated. The draft standard COM-001 followed this format, not the one suggested in the yellow box. Another good example is Standard PER-003.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Mike Calimano – NYISO (2) C. Yeung – SPP (2)			
Response: The heading in the box has been corrected.			
MAAC (2) John Horakh		✓	The heading "Additional Compliance Information" does not seem to be the correct location for this information, it should be stated earlier. For point 4 above (Triggered Investigations), "up to 30 days notice" does not seem appropriate, since it would allow zero notice.
Response: The heading in the box has been corrected. The example was meant to show a range of time up to 30 days and this has been modified to clarify the intent by changing '30 days' to 'up to 30 days'			
Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)		✓	This information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame. The 'Additional Compliance Information' section should be supporting documents such as training manuals, reference documents, etc. which explain how the requirements are calculated. Draft standard COM-001 followed this format, not the one suggested in the yellow box above. Another good example is Standard PER-003.
Response: The heading in the box has been corrected.			
NYISO (2) Michael Calimano		✓	The NYISO proposes that this information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			The 'Additional Compliance Information' section should be supporting documents such as training manuals, reference documents, etc. which explain how the requirements are calculated. The draft standard COM-001 followed this format, not the one suggested in the yellow box. Another good example is Standard PER-003.
Response: The heading in the box has been corrected.			
NERC Standards Evaluation Committee Bill Bojorquez – NERC		✓	The SES believes the more appropriate place for the information (4 compliance steps) listed above would be to include under Section 1.2 Compliance Monitoring and Reset Time Frame.
Response: The heading in the box has been corrected.			
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)	✓		Performance measures are reported periodically based on specific operational data. We are not sure if the 22 Ver. 0 standards include any such requirements.
Response: None of the 22 Version 0 standards being addressed by this drafting team include periodic performance measures.			
AEP (1, 5, 6) James H. Sorrels, Jr.	✓		
Allegheny Power (1) William J. Smith	✓		
ATC (1) Jason Shaver	✓		
Cinergy (1, 3, 6) Jeffrey T. Baker	✓		
Entergy Transmission (1) Maurice Casadaban	✓		
TVA (1) Kathleen Davis	✓		

5. Do you agree with the approach that CESDT has taken as identified above for the “Levels of Non-Compliance?” If not, please explain why you disagree.

Summary Consideration: The drafting team did not modify its approach to adding levels of non-compliance. Note that some commenters did express concern about who would identify the ‘most critical requirements’ and this is being addressed by the Violation Risk Factors Drafting Team. That team will ask stakeholders to rate each requirement with respect to its impact on reliability. The most critical requirements will be those that have the largest impact on the bulk electric system. The drafting team omitted the reference to ‘most critical requirements’ to eliminate this confusion.

CESDT Approach to Adding Levels of Non-Compliance to the 22 Version 0 Standards

~~For the most critical requirements,~~ there may be a **separate** finding of non-compliance for **each** of several different infractions within the same standard. The example below is from COM-001.

2. Levels of Non-Compliance for Transmission Operator, Balancing Authority and Reliability Coordinator

2.1. Level 1 — Used a language other than English without agreement as specified in R4.

2.2. Level 2 — There shall be a **separate** level-2 non-compliance for **every one** of the following requirements that is in violation:

2.2.1 Does not have adequate communication facilities internally, or with one or more external entities as specified in R1.

2.2.2 Did not coordinate, investigate, and recommend solutions to telecommunication problems as specified in R3.

2.3. Level 3 — Not applicable.

2.4. Level 4 — There shall be a **separate** Level 4 non-compliance, for **every one** of the following requirements that is in violation:

2.4.1 Telecommunication systems are not actively monitored, tested, managed or alarmed as specified in R2.

2.4.2 There are no written operating instructions and procedures to enable continued operation of the system during the loss of telecommunication facilities as specified in R5.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Entergy Transmission (1) Maurice Casadaban		✓	As written, overlapping requirements could require multiple penalties for the same infraction – i.e. double jeopardy. There should be a statement in this section which limits an entity to one penalty per infraction.
<p>Response: Adding limits to compliance enforcement is outside the scope of the drafting team.</p> <p>The drafting team has notified the NERC Compliance Staff that there may be some duplicative or overlapping requirements and the drafting team has asked that this be addressed. In addition, the drafting team committed to developing a list of duplicative requirements and will present the list to the SAC for additional work as part of a separate standard development activity.</p>			
IESO (2) Ron Falsetti		✓	<p>The Level 1 non-compliance appears to be applicable for a very small group of entities which may give rise to the perception of discrimination.</p> <p>We agree in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better show what an entity will be evaluated against.</p>
<p>Response: It is imperative that entities can communicate to each other in a common language. The common language default is English, but other languages can be used if all parties involved in the communication agree to it.</p> <p>The CESDT has tried to spell out exactly what level of non-compliance a violation of a requirement will be. The table is just reversed from the one you suggest. The proposed method is how the standards are currently organized.</p>			
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)		✓	In our opinion, the determination of "most critical" requirements should not be made by the CESDT alone or by the CCMC, but must be determined through the ANSI approved standards development process by a team of industry experts following standardized guidelines such as those that are currently being developed by Dave Hilt.
<p>Response: There is a drafting team that is addressing the criticality of each of the requirements (Violation Risk Factors Drafting Team) and they will work with the NERC standards process to involve stakeholders in identifying the reliability-related impact of violating each requirement. This supports your suggestion.</p>			
ATC (1) Jason Shaver		✓	The example provided is too specific to determine the general approach of CESDT. Overall, ATC believes that when determining levels of non-compliance for a specific standard, the infraction should be considered in terms of impact to the reliability of the Bulk Electric System. ATC recommends that the CESDT create the appropriate levels of non-compliance for each standard with an eye toward consistency across standards such that Level 4 Non-Compliance items have

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			similar levels of impact on the reliability of the Bulk Electric System. In other words, depending upon the requirement, there may not be a violation significant enough to warrant a Level 4 Non-Compliance liability. CESDT should review the levels of non-compliance for each measure relative to the level of non-compliance for all other measures (in all other standards) to determine the appropriate Non-Compliance Level; particularly if NERC is going to be utilizing the NERC Levels of Non-Compliance in a comparative fashion across standards and functional entities as a benchmark as to the severity of non-compliance.
<p>Response: We agree with the need for consistency, and we have attempted to strive for consistency in assigning similar levels of non-compliance for similar infractions. Stakeholder comments on the next posting of the missing measures and compliance elements as well as those on violation risk matrix currently under development can be a big help in achieving this consistency.</p>			
<p>MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.</p>		✓	<p>Level 4 non-compliance should not be associated with lack of documentation. Level 4 non-compliance should be restricted to actions or lack of action that lead to serious operational issues of the Bulk Electric System. Administrative issues such as lack of procedures should be limited to level one or two.</p>
<p>Response: Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that, in some situations such as for a system restoration plan the absence of the documentation may warrant a level 4.</p>			
<p>PJM (2) Albert DiCaprio</p>		✓	<p>We agree in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Bruce Balmat Mark Kuras			<p>show what an entity will be evaluated against.</p> <p>Also the footnote on page 4 states " The requirements referred to in R6 are the same as the responsibilities identified in Attachment 1-Com-001. However, the Attachment itself, lists "Violations" of the NERCnet Security Policy as the three bullets under User Accountability and Compliance and not the items listed under Responsibilities. Consistent terminology must be used. We would suggest that the measures be clear about what needs to be evaluated and not just reference the Attachment. Revise the Attachment to state "Requirements" and to remove "Violations" if that is what will be measured.</p>
<p>Response: The CESDT has tried to spell out exactly what level of non-compliance a violation of a requirement will be. The table is just reversed from the one you suggest. The current method is how the standards are currently organized.</p> <p>The CESDT agrees that consistent language is needed, but the scope of the work assigned to this drafting team prevents any modification of the requirements. The language in COM-001-1 is different from the language in R6, but they refer to each other. The footnote is an attempt to explain the language differences. The team will try and adjust the measure to better identify what the entity will be evaluated against.</p>			
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)		✓	<p>The Level 1 non-compliance appears to be applicable for a very small group of entities which may give rise to the perception of discrimination.</p> <p>We agree in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better show what an entity will be evaluated against.</p> <p>Also the footnote on page 4 states " The requirements referred to in R6 are the same as the responsibilities identified in Attachment 1-Com-001. However, the Attachment itself, lists "Violations" of the NERCnet Security Policy as the three bullets under User Accountability and Compliance and not the items listed under Responsibilities. Consistent terminology must be used. We would suggest that the measures be clear about what needs to be evaluated and not just reference the Attachment. Revise the Attachment to state "Requirements" and to remove "Violations" if that is what will be measured.</p>
<p>Response: It is imperative that entities can communicate to each other in a common language. The common language default is English, but other languages can be used if all parties involved in the communication agree to it</p> <p>The CESDT has tried to spell out exactly what level of non-compliance a violation of a requirement will be. The table is just reversed from the one you suggest. The current method is how the standards are currently organized.</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>The CESDT agrees that consistent language is needed, but the scope of the work assigned to this drafting team prevents any modification of the requirements. The language in COM-001-1 is different from the language in R6, but they refer to each other. The footnote is an attempt to explain the language differences. The team will try and adjust the measure to better identify what the entity will be evaluated against.</p>			
<p>AEP (1, 5, 6) James H. Sorrels, Jr.</p>		<p>✓</p>	<p>We agree with the concept of a separate finding of non-compliance for each of several different infractions within the same standard. However, how does this concept play out in the determination of fines? For example, above, if an entity is found level 2 non-compliant to both 2.2.1 and 2.2.2, are both treated as a first offense and thus the entity just receives a letter? Or is it viewed as two violations during an occurrence period, and thus they receive a financial penalty too? (2nd occurrence of a level 2 under the NERC Field test resulted in simulated financial penalty). We suggest that both be treated as first offense. Further, if it is deemed that violations of multiple Standard Requirements do deserve a financial penalty, then the levels of non-compliance should be written to be progressive similar to that in EOP-001-0.</p>
<p>Response: The treatment of violations is a topic that may need debate, but that debate needs to reside in the sanctions development area or the compliance program, not the standards process. If an entity violated both R1 and R3, there would be finding of non-compliance for each, with appropriate sanctions for both non-compliance issues.</p>			
<p>Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9)</p>		<p>✓</p>	<p>The Level 1 non-compliance appears to be applicable for a very small group of entities which may give rise to the perception of discrimination.</p> <p>NPCC participating members agree in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better show what an entity will be evaluated against.</p> <p>Also the footnote on page 4 states "The requirements referred to in R6 are the same as the responsibilities identified in Attachment 1-Com-001. However, the Attachment itself, lists "Violations" of the NERCnet Security Policy as the three bullets under User Accountability and Compliance and not the items listed under Responsibilities. Consistent terminology must be used. We would suggest that the measures be clear about what needs to be evaluated and not just reference the Attachment. Revise the Attachment to state "Requirements" and to remove "Violations" if that is what will be measured.</p>

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Commenter	Yes	No	Comment
R. Pelligrinni – United Illum. (1)			<p>Response: It is imperative that entities can communicate to each other in a common language. The common language default is English, but other languages can be used if all parties involved in the communication agree to it</p> <p>The CESDT has tried to spell out exactly what level of non-compliance a violation of a requirement will be. The table is just reversed from the one you suggest. The current method is how the standards are currently organized.</p> <p>The CESDT agrees that consistent language is needed, but the scope of the work assigned to this drafting team prevents any modification of the requirements. The language in COM-001-1 is different from the language in R6, but they refer to each other. The footnote is an attempt to explain the language differences. The team will try and adjust the measure to better identify what the entity will be evaluated against.</p>
NYISO (2) Michael Calimano		✓	<p>The Level 1 non-compliance appears to be applicable for a very small group of entities which may give rise to the perception of discrimination.</p> <p>The NYISO agrees in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better show what an entity will be evaluated against.</p> <p>Also the footnote on page 4 states " The requirements referred to in R6 are the same as the responsibilities identified in Attachment 1-Com-001. However, the Attachment itself, lists "Violations" of the NERCnet Security Policy as the three bullets under User Accountability and Compliance and not the items listed under Responsibilities. Consistent terminology must be used. We would suggest that the measures be clear about what needs to be evaluated and not just reference the Attachment. Revise the Attachment to state "Requirements" and to remove "Violations" if that is what will be measured.</p>
			<p>Response: It is imperative that entities can communicate to each other in a common language. The common language default is English, but other languages can be used if all parties involved in the communication agree to it</p> <p>The CESDT has tried to spell out exactly what level of non-compliance a violation of a requirement will be. The table is just reversed from the one you suggest. The current method is how the standards are currently organized.</p> <p>The CESDT agrees that consistent language is needed, but the scope of the work assigned to this drafting team prevents any modification of the requirements. The language in COM-001-1 is different from the language in R6, but they refer to each other. The footnote is an attempt to explain</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>the language differences. The team will try and adjust the measure to better identify what the entity will be evaluated against.</p>			
<p>NERC Standards Evaluation Committee Bill Bojorquez – ERCOT</p>		✓	<p>The SES provides comments in two parts. The SES is in general agreement with the approach provided; however the SES has difficulty with the example for COM-001. Specifically: The SES believes both 2.2.1 and 2.2.2 should be classified as Level 4 Non-Compliance; whereas, 2.4.2 should be no higher than a Level 2 Non-Compliance.</p>
<p>Response: The intent of this question was to collect feedback on the 'process' not on this specific set of levels of non-compliance. The drafting team will address your comment regarding the appropriateness of its example in question 8.</p>			
<p>Cinergy (1, 3, 6) Jeffrey T. Baker</p>	✓		
<p>MAAC (2) John Horakh</p>	✓		
<p>Allegheny Power (1) William J. Smith</p>	✓		
<p>TVA (1) Kathleen Davis</p>	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

6. Do you agree with the Measures drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Summary Consideration: The changes made based on stakeholder comments are highlighted below. Several commenters indicated that M1 and M3 should be deleted because they were too vague.

- ~~M1. Each Reliability Coordinator, Transmission Operator and Balancing Authority shall provide evidence that could include, but is not limited to communication facilities lists or other equivalent evidence to confirm that they meet Requirement 1.~~
- M2. Each Reliability Coordinator, Transmission Operator and Balancing Authority shall provide evidence that could include, but is not limited to communication facility test-procedure documents, records of testing, and maintenance records for communication facilities or other equivalent evidence to confirm that they meet Requirement 2.
- ~~M3. Each Reliability Coordinator, Transmission Operator and Balancing Authority shall provide evidence that could include, but is not limited to operator logs, trouble shooting procedures, maintenance records, or other equivalent evidence, to confirm that they meet Requirement 3.~~
- M4. Each Reliability Coordinator, Transmission Operator and Balancing Authority shall provide evidence that could include, but is not limited to operator logs, voice recordings, electronic communications, or other equivalent evidence to confirm that they meet Requirement 4.
- M5. Each Reliability Coordinator, Transmission Operator and Balancing Authority shall provide the current written operating instructions and procedures that will be used to confirm that they meet Requirement 5.
- M6. Each NERCnet User Organization shall provide evidence that could include, but is not limited to documented procedures, operator logs, transcripts of voice recordings, electronic communications, etc., to confirm that they adhere to the requirements1 in Attachment 1-COM-001, as specified in Requirement 6.

Commenter	Yes	No	Comment
MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2)		✓	Measure 1 is just a vague as requirement 1. What is the definition of adequate facilities? Measure/Requirement 2 does not specify a frequency for testing. What is the definition of a vital communication facility? Measurement 3- It is hard to tell if this is a good measure because the intent of the requirement is not known. Measure 4- This requirement should focus on results. We would suggest that this requirement be added to a reference document. Measure 5 is good

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.			as it exists. Measure/Requirement 6 should be incorporated into the Cyber Security Standard.
<p>Response: Measure 1: The team agrees and will remove the measure. The team will request that this requirement be re-written. Measure 2: The requirement would need to specify the frequency, but the team is prohibited from changing the requirement. Measure 3: The team agrees and will remove the measure. The team will request that this requirement be re-written. Measure 4: The requirement calls for English to be used when another language is not agreed to. This is a specific requirement that can be measured easily if a complaint generates an investigation. It is intended that this requirement only be investigated when initiated by a complaint. Measure 5: thank you Measure 6: The CESDT will review the cyber security standards to determine if there are any duplicative requirements. If there are any duplicate requirements, the drafting team will add a footnote to the appropriate requirements in the standards it is modifying and will add the duplicate requirements to the list of duplicative requirements it is presenting to the SAC for additional work as part of a separate standard development activity.</p>			
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)	✓		The idea of using examples of acceptable evidence of meeting the measures sound good in abstract terms, but looks somewhat ridiculous when written down on paper as in COM-001-1. We suggest that standard examples of acceptable evidence be grouped together and utilized once for similar sets of requirements.
<p>Response: The drafting team is trying to aid stakeholders by providing lists of possible evidence that are appropriate to each</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>requirement – generic lists would not be as helpful. This supports the drafting team’s approach outlined earlier with Question 1.</p>			
<p>ATC (1) Jason Shaver</p>	<p>✓</p>		<p>Please clarify what the standard means by the word "telecommunication." Does this refer to voice, data or both?</p> <p>Has the Standard Drafting Team reviewed the Cyber Security Standards in terms of duplicate efforts? ATC proposes that the CESDT review items having potential overlap and either clarify them as being distinctly separate or deleting them as duplicative where appropriate. ATC did not see a clear distinction between COM-001 and the Cyber Security standards.</p> <p>In addition, ATC requests the CESDT to clarify Requirement 4 as it seems to be a duplicate of Standard EOP-005-1, Requirement 5: “Each Transmission Operator and Balancing Authority shall periodically test its telecommunications facilities needed to implement the restoration plan.”</p>
<p>Response: Telecommunication refers to both voice and data.</p> <p>The CESDT will review the cyber security standards to determine if there are any duplicative requirements. If there are any duplicate requirements, the drafting team will add a footnote to the appropriate requirements in the standards it is modifying and will add the duplicate requirements to the list of duplicative requirements it is presenting to the SAC for additional work as part of a separate standard development activity.</p> <p>You seem to be referring to requirement 2 in your description, not requirement 4. In any case, R2 requires that they test vital facilities, including the backups that are not ordinarily tested, not just those that are needed for a restoration plan. Perhaps EOP-005-1 needs to have the requirement removed by due process and have the facilities needed to implemented the restoration plan declared vital for the purposes of COM--01</p>			
<p>PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras</p>	<p>✓</p>		<p>All they state is you need to meet requirement X.</p>
<p>Response: The measures also provide guidance on what types of evidence can be used to prove compliance, while leaving it open for other forms of evidence to be considered.</p>			
<p>ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2)</p>	<p>✓</p>		<p>All they state is you need to meet requirement X.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)			
<p>Response: The measures also provide guidance on what types of evidence can be used to prove compliance, while leaving it open for other forms of evidence to be considered.</p>			
Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)	✓		NPCC participating members agree "Yes", However, it is unclear what addition value they provide since all they state is you need to meet requirement X.
<p>Response: The measures also provide guidance on what types of evidence can be used to prove compliance, while leaving it open for other forms of evidence to be considered.</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
NYISO (2) Michael Calimano	✓		All they state is you need to meet requirement X.
Response: The measures also provide guidance on what types of evidence can be used to prove compliance, while leaving it open for other forms of evidence to be considered.			
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT	✓		
Cinergy (1, 3, 6) Jeffrey T. Baker	✓		
Entergy Transmission (1) Maurice Casadaban	✓		
IESO (2) Ron Falsetti	✓		
Allegheny Power (1) William J. Smith	✓		
AEP (1, 5, 6) James H. Sorrels, Jr.	✓		
MAAC (2) John Horakh	✓		
TVA (1) Kathleen Davis	✓		

7. Do you agree with the Compliance Monitoring Process drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Summary Consideration: The team has made changes to the Monitoring Process to bring it in line with the format changes adopted as a result of the comments.

1. Compliance Monitoring Process

1.1. Compliance Monitoring Responsibility

Regional Reliability Organizations for all entities except the Regional Reliability Organization
NERC for the Regional Reliability Organization

1.2. Compliance Monitoring and Reset Time Frame

The Compliance Monitor may require an annual self-certification or may conduct an annual spot check audit. The Compliance Monitor shall conduct a periodic audit ~~of R1, R2, R3~~ and R5, at least once every three years. For a triggered investigation, the Compliance Monitor shall notify the entity being investigated as soon as possible, but no later than 60 days after the event. (R4 and R6). The entity being investigated shall have 30 calendar days from the day of notice, to prepare documentation.

The Performance-Reset Period shall be twelve months from the last finding of noncompliance.

1.3. Data Retention

~~If the measure does not define a specific retention requirement for evidence,~~ a The Reliability Coordinator, Transmission Operator, Balancing Authority and NERCnet User Organization shall keep evidence of compliance for ~~four rolling years~~ two years plus the current year.

~~Entities shall retain evidence used as proof of compliance from the previous self-certification audit, triggered investigation or spot audit for at least four years.~~

If an entity is found non-compliant the entity shall keep information related to the non-compliance until found compliant or for ~~four~~ two years plus current, whichever is longer.

Evidence used as part of a triggered investigation shall be retained by the entity being investigated for one year from the date that the investigation is closed, as determined by the Compliance Monitor.

The Compliance Monitor shall keep the last periodic audit report and all subsequent ~~requested and submitted~~ compliance records.

1.4. Additional Compliance Information

See Attachment 1-COM-001 — NERCnet Security Policy

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Commenter	Yes	No	Comment
Cinergy (1, 3, 6) Jeffrey T. Baker		✓	The entity charged with a violation should not be the entity to notify the RRO of the violation. The auditing entity should have this responsibility.
Response: Currently, entities notify a monitoring entity of non-compliance during the self certification process.			
IESO (2) Ron Falsetti		✓	(1) While this may be applicable for US jurisdictional entities, the Compliance monitoring process must also adhere to the Compliance framework(s) that will be established for Canadian Entities. Would suggest inclusion of "... as established by delegation agreements with the ERO or by the MOU with governmental authorities in Canada and Mexico as applicable..." (2) No Criteria is defined for a triggered an investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.
Response: This is a possibility, but as stated, it makes no difference if the violator is a US entity or not. Triggered investigations can be initiated by a complaint or other method. Limiting ways for an investigation to be initiated may inadvertently exclude a needed way			
ATC (1) Jason Shaver		✓	The Compliance section has conflicting intentions. 1. R4 and R6 are triggered investigation events for which the RRO must notify the entity within 60 days of the event. Therefore, ATC proposes that the data retention requirement for R4 and R6 be 60 days. 2. ATC is concerned with the following statement: "If the measure does not define a specific retention requirement for evidence,.....shall keep evidence for compliance for four rolling years." ATC is concerned that a data retention requirement of "four rolling years" would be unduly burdensome for a measure that is only audited when an investigation is triggered. Most of the industry does not have a four year retention policy for electronic communication, i.e. e-mails. ATC requests that the SDT review these conflicting statements and provide additional clarity to the standard. ATC supports a 60-day retention policy on R4 and R6.
Response: 1. The drafting team has added a timeframe for data retention for those items associated with triggered investigations. 2. The data retention period has been modified to two years plus current year.			
MRO (2)		✓	Four years of evidence is excessive. The amount of data available should be specific to each

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.			standard.
<p>Response: The data retention period has been modified to two years plus current year for some types of compliance monitoring. Please see the summary of changes to Question 3 which lists all the 'default' data retention periods.</p>			
PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras		✓	No Criteria is defined for a triggered investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.
<p>Response: Triggered investigations can be initiated by a complaint or other method. Limiting ways for an investigation to be initiated may inadvertently exclude a needed way.</p>			
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2)		✓	(1) While this may be applicable for US jurisdictional entities, the Compliance monitoring process must also adhere to the Compliance framework(s) that will be established for Canadian Entities. Would suggest inclusion of "... as established by delegation agreements with the ERO or by the MOU with governmental authorities in Canada and Mexico as applicable..." (2) While we agree with the data retention requirements, we believe a generic retention period be specified for all standards and it be referenced. Only include specific retention periods in individual

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)			standard when they need to deviate form the generic retention period. (3) No Criteria is defined for a triggered investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.
<p>Response: This is a possibility, but as stated, it makes no difference if the violator is a US entity or not.</p> <p>This is a good suggestion, but should be applied to all standards at the same time in the future to avoid confusion. The commenter is encouraged to submit a SAR to that purpose.</p> <p>Investigations can be initiated by a complaint or other method. Limiting ways for an investigation to be initiated may inadvertently exclude a needed way</p>			
Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)		✓	NPCC participating members believe; (1) While this may be applicable for US jurisdictional entities, the Compliance monitoring process must also adhere to the Compliance framework(s) that will be established for Canadian Entities. Would suggest inclusion of "... as established by delegation agreements with the ERO or by the MOU with governmental authorities in Canada and Mexico as applicable..." (2) No Criteria is defined for a triggered an investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.
<p>Response: This is a possibility, but as stated, it makes no difference if the violator is a US entity or not.</p>			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>Investigations can be initiated by a complaint or other method. Limiting ways for an investigation to be initiated may inadvertently exclude a needed way</p>			
<p>NYISO (2) Michael Calimano</p>		✓	<p>(1) While this may be applicable for US jurisdictional entities, the Compliance monitoring process must also adhere to the Compliance framework(s) that will be established for Canadian Entities. Would suggest inclusion of "... as established by delegation agreements with the ERO or by the MOU with governmental authorities in Canada and Mexico as applicable..."</p> <p>(2) While we agree with the data retention requirements, we believe a generic retention period be specified for all standards and it be referenced. Only include specific retention periods in individual standard when they need to deviate from the generic retention period.</p> <p>(3) No Criteria is defined for a triggered investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.</p>
<p>Response: This is a possibility, but as stated, it makes no difference if the violator is a US entity or not. This is a good suggestion, but should be applied to all standards at the same time in the future to avoid confusion. The commenter is encouraged to submit a SAR to that purpose.</p> <p>Investigations can be initiated by a complaint or other method. Limiting ways for an investigation to be initiated may inadvertently exclude a needed way.</p>			
<p>Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)</p>	✓		<p>D1.2 uses complete sentences while D1.1 does not. In our opinion, complete sentences should be used to clarify intent. Whichever is used, it should probably be standardized throughout.</p>
<p>Response: Agreed.</p>			
<p>NERC Standards Evaluation Committee Bill Bojorquez – ERCOT</p>	✓		
<p>Entergy Transmission (1) Maurice Casadaban</p>	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
AEP (1, 5, 6) James H. Sorrels, Jr.	✓		
MAAC (2) John Horakh	✓		
TVA (1) Kathleen Davis	✓		
Allegheny Power (1) William J. Smith	✓		

8. Do you agree with the Levels of Non-compliance drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Summary Consideration: Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Several entities suggested moving what had been 2.4.1 to a level three, and the drafting team did make this change.

2. Levels of Non-Compliance for Transmission Operator, Balancing Authority and Reliability Coordinator

- 2.1. Level 1 —Used a language other than English without agreement as specified in R4.
- 2.2. Level 2 — Not applicable. ~~There shall be a separate level-2 non-compliance for every one of the following requirements that is in violation:~~
 - ~~2.2.1 Does not have adequate communication facilities internally, or with one or more external entities as specified in R1.~~
 - ~~2.2.2 Did not coordinate, investigate, and recommend solutions to telecommunication problems as specified in R3.~~
- 2.3. Level 3 — ~~Not applicable.~~ Telecommunication systems are not actively monitored, tested, managed or alarmed as specified in R2.
- 2.4. Level 4 — ~~There shall be a separate Level 4 non-compliance, for every one of the following requirements that is in violation:~~
 - ~~2.4.1 Telecommunication systems are not actively monitored, tested, managed or alarmed as specified in R2.~~
 - ~~2.4.2~~—There are no written operating instructions and procedures to enable continued operation of the system during the loss of telecommunication facilities as specified in R5.

Commenter	Yes	No	Comment
Entergy Transmission (1) Maurice Casadaban		✓	Requirements 1, 2 and 3 are too vague to be used in assessing a penalty. Requirements such as these should be better defined before assigning a penalty for non-compliance.

[Response: The team agrees and will remove measures 1 and 3, and corresponding levels of non-compliance. The team will request that](#)

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>requirement 1 and 3 be re-written. Requirement 2 needs to specify the frequency, but the team is prohibited from changing the requirement.</p>			
<p>IESO (2) Ron Falsetti</p>		<p>✓</p>	<p>1. Agree in general with levels for R1 through R5 (See response to Q5 on Level 1 non-compliance) but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable.</p> <p>There is also a question with regards to relative importance.</p> <p>2. Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it assesses a system at Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a more significant risk to reliability then not having some documentation.</p> <p>3. Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed Level 4 non-compliance. Following this logic, it is better to have no facility at all, which is Level 2, than it is to have one and not monitor it.</p> <p>4. Similarly with Non-Compliance element 2.4.2 which requires "written operating instructions". Not having instructions written down is Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions?</p> <p>We would suggest that a more appropriate order (based on relative importance) would be as follows: Violations of R1 = Level 4 Violations of R2 = Level 3 Violations of R3 = Level 2 Violations of R4 = Level 1 Violations of R5 = Level 4</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			Violations of R6 = Level 1 / Level 2
<p>Response:</p> <p>1. Just because an entity has incorporated a policy into your procedures does not mean that an entity can never violate a standard or policy. The requirement is that you shall adhere to the policies in NERCnet, not if you have adopted them. Therefore, the CESDT believes this is measurable and kept its associated non-compliance.</p> <p>2. The drafting team believes you intended to reference Requirement 1 rather than Requirement 2. Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance.</p> <p>3. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p> <p>4. While some violations of NERCnet security policy would result in little to no significant risk to the bulk electric system, there are some items that could cause significant economic or reliability impacts, such as the unauthorized release of near real time ICCP data. Because of these potential risks, the CESDT has kept this as a level 4 violation.</p>			
<p>MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2) 27 additional MRO members not listed above.</p>		✓	<p>Level 4 non-compliance should not be associated with lack of documentation. Level 4 non-compliance should be restricted to actions or lack of action that lead to serious operational issues of the Bulk Electric System. Administrative issues such as lack of procedures should be limited to level one or two.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
<p>Response: Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. The CESDT believes that the lack of procedures may warrant a level 4.</p>			
<p>PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras</p>		<p>✓</p>	<ol style="list-style-type: none"> 1. Agree in general with levels for R1 through R5 but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable. <p>There is a question with regards to relative importance.</p> <ol style="list-style-type: none"> 2. Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed a Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it punishes a system at a Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a worse risk to reliability then not having some documentation. 3. Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed a Level 4 non-compliance. Following this logic, it is better to have no facility at all, then it is to have one and not monitor it. 4. Similarly with Non-Compliance element 2.4.2 which requires "written operating instructions". Not having instructions written down is a Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions? <p>We would suggest that a more appropriate order (based on relative importance) would be as follows:</p> <p>Violations of R1 = Level 4 Violations of R2 = Level 3 Violations of R3 = Level 2 Violations of R4 = Level 1</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			Violations of R5 = Level 4 Violations of R6 = Level 1 / Level 2
<p>Response:</p> <p>1. Just because an entity has incorporated a policy into your procedures does not mean that an entity can never violate a standard or policy. The requirement is that you shall adhere to the policies in NERCnet, not if you have adopted them. Therefore, the CESDT believes this is measurable and kept its associated non-compliance.</p> <p>2. The drafting team believes you intended to reference Requirement 1 rather than Requirement 2. Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance.</p> <p>3. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p> <p>4. While some violations of NERCnet security policy would result in little to no significant risk to the bulk electric system, there are some items that could cause significant economic or reliability impacts, such as the unauthorized release of near real time ICCP data. Because of these potential risks, the CESDT has kept this as a level 4 violation.</p>			
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)		✓	<ol style="list-style-type: none"> 1. Agree in general with levels for R1 through R5 but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable. <p>There is a question with regards to relative importance.</p> <ol style="list-style-type: none"> 2. Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed a Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it punishes a system at a Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a worse risk to reliability then not having some documentation. 3. Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed a Level 4 non-compliance. Following this logic, it is better to have no facility at all, then it is to have one and not monitor it.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>4. Similarly with Non-Compliance element 2.4.2 which requires "written operating instructions". Not having instructions written down is a Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions?</p> <p>We would suggest that a more appropriate order (based on relative importance) would be as follows:</p> <p>Violations of R1 = Level 4 Violations of R2 = Level 3 Violations of R3 = Level 2 Violations of R4 = Level 1 Violations of R5 = Level 4 Violations of R6 = Level 1 / Level 2</p> <p>Also See our response to Q5 on Level 1 non-compliance.</p>
<p>Response:</p> <p>1. Just because an entity has incorporated a policy into your procedures does not mean that an entity can never violate a standard or policy. The requirement is that you shall adhere to the policies in NERCnet, not if you have adopted them. Therefore, the CESDT believes this is measurable and kept its associated non-compliance.</p> <p>2. The drafting team believes you intended to reference Requirement 1 rather than Requirement 2. Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance.</p> <p>3. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p> <p>4. While some violations of NERCnet security policy would result in little to no significant risk to the bulk electric system, there are some items that could cause significant economic or reliability impacts, such as the unauthorized release of near real time ICCP data. Because of these potential risks, the CESDT has kept this as a level 4 violation.</p>			
<p>AEP (1, 5, 6) James H. Sorrels, Jr.</p>		<p>✓</p>	<p>Why does the Team believe it is a more serious offense (level 4 vs. level 2) to not actively monitor or alarm telecommunications systems (2.4.1) then to not have adequate telecommunications systems at all (2.2.1)? It would seem that not having adequate facilities should be a worse offense than not monitoring those adequate facilities.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>It would also seem that not having written operating instructions to enable continued operation of the system during the loss of telecom. facilities (2.4.2), which is a contingency situation, is a lesser offense than not having adequate telecom facilities (2.2.1) for the exchange of data during real-time for non-contingency or contingency situations. Also, how is 2.4.2 more serious than having an operator that tries to communicate in real-time in a language other than English (unless both parties already agreed to converse in another language) (2.1), which is only a level 1 violation? Sure hope they were not trying to communicate that their system was about to collapse and they needed immediate assistance.</p>
<p>Response: Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4. During the next posting of this standard, stakeholders will have a chance to again comment on whether these levels of non-compliance are appropriate.</p>			
<p>Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2) Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum.</p>		<p>✓</p>	<ol style="list-style-type: none"> 1. NPCC participating members agree in general with levels for R1 through R5 but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable. <p>There is a question with regards to relative importance.</p> <ol style="list-style-type: none"> 2. Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it assesses a system at Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a more significant risk to reliability then not having some documentation. 3. Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed Level 4 non-compliance. Following this logic, it is better to have no facility at all, which is Level 2, than it is to have one and not monitor it. 4. Similarly with Non-Compliance element 2.4.2 which requires "written operating

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
(1)			<p>instructions". Not having instructions written down is Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions?</p> <p>We would suggest that a more appropriate order (based on relative importance) would be as follows:</p> <p>Violations of R1 = Level 4 Violations of R2 = Level 3 Violations of R3 = Level 2 Violations of R4 = Level 1 Violations of R5 = Level 4 Violations of R6 = Level 1 / Level 2</p> <p>Also See our response to Q5 on Level 1 non-compliance.</p>
<p>Response:</p> <p>1. Just because an entity has incorporated a policy into your procedures does not mean that an entity can never violate a standard or policy. The requirement is that you shall adhere to the policies in NERCnet, not if you have adopted them. Therefore, the CESDT believes this is measurable and kept its associated non-compliance.</p> <p>2. The drafting team believes you intended to reference Requirement 1 rather than Requirement 2. Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance.</p> <p>3. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p> <p>4. While some violations of NERCnet security policy would result in little to no significant risk to the bulk electric system, there are some items that could cause significant economic or reliability impacts, such as the unauthorized release of near real time ICCP data. Because of these potential risks, the CESDT has kept this as a level 4 violation.</p>			
NYISO (2) Michael Calimano		<input checked="" type="checkbox"/>	<p>1. Agree in general with levels for R1 through R5 but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable.</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>There is a question with regards to relative importance.</p> <ol style="list-style-type: none"> 2. Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed a Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it punishes a system at a Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a worse risk to reliability then not having some documentation. 3. Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed a Level 4 non-compliance. Following this logic, it is better to have no facility at all, then it is to have one and not monitor it. 4. Similarly with Non-Compliance element 2.4.2 which requires "written operating instructions". Not having instructions written down is a Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions? <p>We would suggest that a more appropriate order (based on relative importance) would be as follows:</p> <p>Violations of R1 = Level 4 Violations of R2 = Level 3 Violations of R3 = Level 2 Violations of R4 = Level 1 Violations of R5 = Level 4 Violations of R6 = Level 1 / Level 2</p> <p>Also See our response to Q5 on Level 1 non-compliance.</p>
<p>Response:</p> <ol style="list-style-type: none"> 1. Just because an entity has incorporated a policy into your procedures does not mean that an entity can never violate a standard or policy. The requirement is that you shall adhere to the policies in NERCnet, not if you have adopted them. Therefore, the CESDT believes this is measurable and kept its associated non-compliance. 2. The drafting team believes you intended to reference Requirement 1 rather than Requirement 2. Measures 1 and 3 were eliminated based 			

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
			<p>on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance.</p> <p>3. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p> <p>4. While some violations of NERCnet security policy would result in little to no significant risk to the bulk electric system, there are some items that could cause significant economic or reliability impacts, such as the unauthorized release of near real time ICCP data. Because of these potential risks, the CESDT has kept this as a level 4 violation.</p>
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT		✓	See comments in Question #5 above.
			<p>Response: Measures 1 and 3 were eliminated based on stakeholder comments, therefore the associated references to these measures were also eliminated in the levels of non-compliance. If a procedure can't be produced, it is assumed that it does not exist; therefore, the lack of a procedure is not a simple, 'lack of documentation' violation. In this case, if an entity does not have any written instructions, system operators are presumed to be unprepared and therefore this deserves a high level of non-compliance. Generally, documentation violations do not warrant a level 4 non-compliance. Some operationally important documentation may warrant a level 4, such as a restoration plan document. The CESDT believes that the lack of procedures may warrant a level 4.</p>
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)	✓		When there are multiple bullets under a single level of non-compliance, it should be explicitly stated that an entity is subject to multiple separate penalties if each of the bullets are violated, if that is your intention. If not, you should state that there is just one penalty.
			<p>Response: Words will be added to spell out that multiple violations can end up accruing multiple non-compliances.</p>
ATC (1) Jason Shaver	✓		When looking at non-compliance levels, is the CESDT determining the level of non-compliance solely in terms of a single standard and the worst violation that could occur under that standard, or is the CESDT looking at all of the NERC Standards and determining the appropriate level of non-compliance based upon the severity of a violation in terms of all of the NERC standards? By looking at all of the items that are grouped into a non-compliance level, the SDT may achieve greater consensus within the industry when proposing the level for this standard.
			<p>Response: The CESDT is looking at each individual standard and determining reasonable levels of non-compliance for each requirement.</p>
Allegheny Power (1)	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Yes	No	Comment
William J. Smith			
Cinergy (1, 3, 6) Jeffrey T. Baker	✓		
TVA (1) Kathleen Davis	✓		
MAAC (2) John Horakh	✓		

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

9. If you have additional comments on the approach developed by the CESDT in completing the measures and compliance elements of the 22 Version 0 Standards or specific comments on COM-001 that you haven't already mentioned above, please provide it here and be as specific as possible.

Commenter	Comment
IESO (2) Ron Falsetti	On the standard itself, please note the missing word "FOR" in R1 of Section B. It should read "facilities FOR the exchange."
Response: Thank you. This typographical error was in the approved Version 0 standard. The error was submitted and is listed in Version 0 errata. The drafting team will use the corrected version of the standard moving forward.	
Southern Co. – Transm. (1) Marc M. Butts Jim Viikinsalo – SOCO (1) Jim Busbin – SOCO (1) Raymond Vice – SOCO (1)	Will all 22 standards be sent to the industry for comments separately or will they be individually published? We suggest that they be sent individually to allow ample time for due process.
Response: The team plans to give full time to due process and will allow for comment on each standard for both a 30-day and a 45-day comment period.	
MRO (2) Al Boesch – NPPD (2) Terry Bilke – MISO (2) Bob Coish – MHEB (2) Dennis Florom – LES (2) Ken Goldsmith – ALT (2) Todd Gosnell – OPPD (2) W. Guttormson – SPC (2) Jim Maenner – WPSC (2) Darrick Moe – WAPA (2) P. Oreschnick – XEL (2) Dave Rudolph – BEPC (2) Tom Mielnik – MEC (2) Dick Pursley – GRE (2) Joe Knight – MRO (2)	We appreciate the effort that the drafting team is putting into the development of measures and compliance elements, however we would recommend that the first step to creating measures and compliance elements would be identification of clear unambiguous requirements. Anything short of that goal will lead to confusion and conflicts. The standard drafting team should identify all of the requirements that lack clarity and other requirements that are not requirements but guidelines or permissive statements. The requirements that lack clarity should be clarified. The requirements that are guidelines or permissive statements should be moved to other documents, such as a reference document.

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Comment
27 additional MRO members not listed above.	
<p>Response: The team would have preferred to modify the requirements (with appropriate industry input), but that is not within the scope of the approved SAR given to the drafting team. If the team finds a requirement that is not measurable, it will not create a measure for that requirement, nor will it set levels of non-compliance.</p>	
ISO/RTO Council Bruce Balmat – PJM (2) Anita Lee – AESO (2) Liza Szot – CAISO (2) Sam Jones – ERCOT (2) Don Tench – IESO (2) Pete Brandien – ISONE (2) Bill Phillips – MISO (2) Mike Calimano – NYISO (2) C. Yeung – SPP (2)	<p>On the standard itself, please note the missing word in "facilities FOR the exchange" in R1 of Section B.</p> <p>Also, the IRC believes that the drafting team should carefully consider whether it is appropriate to force a multitude of new compliance measures on the industry for review right now, with all the ERO activities consuming peoples attention. The IRC would like to see a measured approach to developing the missing compliance elements rather than a bulk cut-and-paste approach for the remaining 21 standards.</p>
<p>Response: Thank you. This typographical error was in the approved Version 0 standard. The error was submitted and is listed in Version 0 errata. The drafting team will use the corrected version of the standard moving forward.</p> <p>The team is not taking a cut and paste approach, but a measured approach. In addition, the team is flagging those requirements that are deemed unmeasurable and will provide a list of these requirements to the SAC for additional work under a separate standard action.</p>	
AEP (1, 5, 6) James H. Sorrels, Jr.	<p>The Team has an unenviable task. The main reason these 22 Standards do not have measures and compliance elements is that the requirements for these Standards are fairly vague. To add the measures and compliance elements without re-writing the Requirements to be more "crisp", will require that the measures be fairly broad, which the Team did with COM-001-1.</p>
<p>Response: We agree and tried to make the measures as specific as the requirements permit.</p>	
Northeast Power Coordinating Council CP9 Reliability Standards Working Group Guy Zito – NPCC (2) K. Goodman – ISO-NE(2)	<p>On the standard itself, please note the missing word "FOR" in R1 of Section B. It should read "facilities FOR the exchange"</p>

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Comment
Ralph Rufrano – NYPA (1) Alden Briggs – NBSO (1) Peter Lebro – NGrid (1) David Kiguel – Hydro One (1) David Little – NS Power 1) W. Shemley – ISONE (2) Greg Campoli – NYISO (2) Ron Falsetti – IESO (2) A. Adamson – NYSRC (2) Sashi Parekh – MA Dept. of Tele. And Energy (9) R. Pelligrinni – United Illum. (1)	
<p>Response: Thank you. This typographical error was in the approved Version 0 standard. The error was submitted and is listed in Version 0 errata. The drafting team will use the corrected version of the standard moving forward.</p>	
NYISO (2) Michael Calimano	<p>On the standard itself, please note the missing word in "facilities FOR the exchange" in R1 of Section B.</p> <p>Also, the NYISO supports other industry comments that suggests that the drafting team should carefully consider whether it is appropriate to force a multitude of new compliance measures on the industry for review right now, with all the ERO activities consuming peoples attention. The NYISO would like to see a measured approach to developing the missing compliance elements rather than a bulk cut-and-paste approach for the remaining 21 standards.</p>
<p>Response: Thank you. This typographical error was in the approved Version 0 standard. The error was submitted and is listed in Version 0 errata. The drafting team will use the corrected version of the standard moving forward.</p> <p>The team is not taking a cut and paste approach, but a measured approach. In addition, the team is flagging those requirements that are deemed unmeasurable and will provide a list of these requirements to the SAC for additional work under a separate standard action.</p>	
NERC Standards Evaluation Committee Bill Bojorquez – ERCOT	<p>The SES commends the CESDT on an unenviable task. The SES has been concerned that many of the Reliability Standards have requirements which are vague and confusing, and as a result is planning to do a comprehensive review of all planning related standards to determine if any gap exist which should be covered or other clarifications can improve these standards. The SES will work to cooperate with the efforts of the CESDT in an effort to efficiently utilize our resources.</p>
<p>Response: Thank you. The drafting team looks forward to working with any and all industry groups to the extent that the standard development</p>	

Consideration of Comments on Approach to Adding Missing Measures and Compliance Elements

Commenter	Comment
process permits.	
PJM (2) Albert DiCaprio Bruce Balmat Mark Kuras	None
TVA (1) Kathleen Davis	None
Cinergy (1, 3, 6) Jeffrey T. Baker	None
Entergy Transmission (1) Maurice Casadaban	None
MAAC (2) John Horakh	None
Allegheny Power (1) William J. Smith	No additional comments.
ATC (1) Jason Shaver	None