



Compliance Audit Report Public Version

**Strategic Energy, LLC
(STEN)
NCR05411
March 20, 2008**

**Confidential Information (including Privileged
and Critical Energy Infrastructure Information)
Has Been Removed**

October 22, 2008

Audit Overview

The WECC Compliance Department conducted an off-site (table-top) compliance audit of the Strategic Energy, LLC (STEN) on March 20, 2008. The off-site audit was conducted at the WECC Compliance Department offices at 615 Arapeen Drive, Suite 210, Salt Lake City, Utah.

STEN personnel were notified at the start of the off-site audit and kept informed as the audit progressed. The personnel may have been present during the audit and at the closing presentation, or listened to the presentation on the phone. The audit team may have requested additional evidence during the audit from the personnel.

At the time of the off-site audit, STEN was registered for the following function: PSE.

The following function was audited: PSE.

The STEN Internal Compliance Program (ICP) was not reviewed or discussed during the audit.

The audit team used the Reliability Standard Audit Worksheets (RSAWs) during the compliance review of each reliability standard. The evidence provided was reviewed for the period June 18, 2007 through the off-site audit dates. The June 18, 2007 date is when FERC made compliance to eighty-three (83) of the NERC Reliability Standards mandatory and enforceable in the United States. No violations were identified by the audit team during the audit.

Confidentiality and Conflict of Interest

Confidentiality agreements, executed by the WECC independent contractors (consultants) and code of conduct documentation for the NERC representative and WECC compliance staff, were provided to STEN in advance of the off-site audit, if requested. Work history and conflict of interest forms submitted by each audit team member were provided. STEN was given an opportunity to object to an audit team member on the basis of a possible conflict of interest or the existence of other circumstances that could interfere with the audit team member's impartial performance of duties. STEN accepted the audit team member participants with no objections.

Strategic Energy Comment:

A ReliabilityFirst employee, who was initially tasked with participating in the STEN audit, was *not* included on the list of audit team members provided to STEN in advance of the off-site audit, and thus STEN did not have an opportunity to object to the inclusion of the ReliabilityFirst employee as an audit team

member prior to the start of the audit, as indicated above. STEN was/is currently involved in litigation at FERC with RFC on an issue unrelated to this audit. STEN noted at the start of the audit that the inclusion of the ReliabilityFirst employee on the audit team was an obvious conflict of interest given the pending FERC litigation and requested a different member of the audit team perform the STEN audit. WECC responded immediately and appropriately to STEN's request.

Off-site Audit

Off-site audits of Load-Serving Entities (LSEs), Distribution Providers (DPs) and Purchasing-Selling Entities (PSEs) are conducted on a six-year cycle. If a Registered Entity is registered for other functions (such as GO, GOP, TO, etc.), it has the option of having these other functions audited during the off-site audit.

STEN was officially notified of the off-site audit with a 60-day Notice of Compliance Audit letter. Accompanying this notification are attachments relating to the audit as listed below:

- Pre-audit introduction letter
- Audit team bios
- Pre-audit questionnaire
- Audit documentation matrix
- WECC 2008 Auditing, Monitoring and Reporting Requirements for NERC Standards.

STEN was notified in the Pre-Audit letter that personnel (subject matter experts representing all the registered functions) would need to be available to answer questions (interviews) the audit team might have regarding the documentation.

STEN was also informed that the off-site compliance audit would be conducted consistent with the following WECC Regional and NERC documents:

- WECC Compliance Monitoring and Enforcement Program
- NERC Reliability Standard Audit Worksheets.

STEN was asked to submit the completed questionnaire, the audit documentation matrix and other requested documents back to the WECC Compliance Department.

A pre-audit conference call was held by WECC compliance staff with all the Registered Entities scheduled for an off-site audit.

Professional judgment was used by the audit team during the off-site audit. The audit team leader may have requested interviews with employees representing subject matter expertise regarding the registered functions being audited. These interviews in conjunction with the evidence, gave the audit team a factual basis for determining compliance with the NERC reliability standards.

Reference - Generally accepted government auditing standard 3.31 - Auditors must use professional judgment in planning and performing audits and attestation engagements and in reporting the results.

Reference - Generally accepted government auditing standard 3.39 - While this standard places responsibility on each auditor and audit organization to exercise professional judgment in planning and performing an audit or attestation engagement, it does not imply unlimited responsibility, nor does it imply infallibility on the part of either the individual auditor or the audit organization. Absolute assurance is not attainable because of the nature of evidence and the characteristics of fraud. Professional judgment does not mean eliminating all possible limitations or weaknesses associated with a specific audit, but rather identifying, considering, minimizing, mitigating, and explaining them.

Methodology

Methodology: the auditing reliability standards and best practices that are to be followed by compliance auditors in carrying out their work. The methodology should be objective, measurable, complete and relevant to the audit objectives. The auditors should identify potential sources of audit evidence and consider the amount and type of evidence needed given the risk and significance when defining the audit methodology.

Audit Specifics

Audit Team

Audit Team Role	Title	Company
Lead	Senior Compliance Engineer	WECC
Member	Regional Compliance Program Coordinator	NERC

Registered Entity Audit Participants (Attending/Interviewed/Listening)

Title	Audited Organization
Director of Compliance	STEN
Manager of Regulatory Compliance & Licensing	STEN

Findings

The findings of the audit team at the off-site audit were presented to STEN at the closing presentation. These findings are indicated in Table A below. The "Finding" column contains one of the following: Compliant, Possible Violation (PV), New Possible Violation (NPV), Not Applicable (NA), Not Audited,

Outstanding Alleged Violation (OV), Retraction requested (Retract), Self-reported Violation (Self-Report), or other appropriate description.

Table A

Reliability Standard	Requirement	Finding
INT-001-2	1.	Compliant
INT-001-2	2.	NA
INT-004-1	1.	NA
INT-004-1	2.	Compliant
IRO-001-1	1.	NA
IRO-001-1	2.	NA
IRO-001-1	3.	NA
IRO-001-1	4.	NA
IRO-001-1	5.	NA
IRO-001-1	6.	NA
IRO-001-1	7.	NA
IRO-001-1	8.	Compliant
IRO-001-1	9.	NA
IRO-005-1	1.	NA
IRO-005-1	2.	NA
IRO-005-1	3.	NA
IRO-005-1	4.	NA
IRO-005-1	5.	NA
IRO-005-1	6.	NA
IRO-005-1	7.	NA
IRO-005-1	8.	NA
IRO-005-1	9.	NA
IRO-005-1	10.	NA
IRO-005-1	11.	NA
IRO-005-1	12.	NA
IRO-005-1	13.	NA
IRO-005-1	14.	NA
IRO-005-1	15.	NA
IRO-005-1	16.	NA
IRO-005-1	17.	NA
TOP-005-1	1.	NA
TOP-005-1	2.	NA
TOP-005-1	3.	NA
TOP-005-1	4.	Compliant
VAR-001-1	1.	NA
VAR-001-1	2.	NA

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Reliability Standard	Requirement	Finding
VAR-001-1	3.	NA
VAR-001-1	4.	NA
VAR-001-1	5.	Compliant
VAR-001-1	6.	NA
VAR-001-1	7.	NA
VAR-001-1	8.	NA
VAR-001-1	9.	NA
VAR-001-1	10.	NA
VAR-001-1	11.	NA
VAR-001-1	12.	NA