

Compliance Application Notice – 0028

TOP-006 R1.2 Reporting Responsibilities

Posted: July 19, 2011

Revised: November 16, 2011

Primary Interest Groups

Compliance Enforcement Authority (CEA)¹

NERC

Regional Entity

Transmission Operator (TOP)

Balancing Authority (BA)

Reliability Coordinator (RC)

Issue: What are resource reporting responsibilities for BAs and TOPs under TOP-006 R1.2?

For the purpose of aiding a CEA, this CAN provides instruction for assessing whether a BA or TOP has fulfilled the requirements for reporting transmission or generation resources available for use to RCs and other affected BAs and TOPs under TOP-006 R1.2.

Background

CEAs are to verify that BAs and TOPs have reported the availability of generation or transmission resources under TOP-006. CEAs are to be aware that BAs are not responsible for reporting transmission resources and that TOPs are not responsible for reporting generation resources.

Compliance Application

TOP-006 provides, in pertinent part:

***R1.** Each Transmission Operator and Balancing Authority shall know the status of all generation and transmission resources available for use.*

...

***R1.2.** Each Transmission Operator and Balancing Authority shall inform the Reliability Coordinator and other affected Balancing Authorities and Transmission Operators of all generation and transmission resources available for use.*

CEAs are to assess compliance for the responsible entity within the context of TOP-006 R1.2 as follows:

¹ Compliance Enforcement Authorities include ERO auditors, investigators, enforcement personnel or any person authorized to assess issues of concern, potential non-compliance, and possible, alleged or confirmed violations of NERC Reliability Standard and requirements.

1. A BA is the responsible entity for the reporting of generation resources available for use to the appropriate RC and the other affected BAs and TOPs; and
2. A TOP is the responsible entity for the reporting of transmission resources available for use to the appropriate RC and the other affected BAs and TOPs.

Effective Period for CAN

This revised CAN supersedes the original CAN, as well as all prior communications. CEAs are to use this CAN to assess compliance from July 19, 2011, regardless of the start date of the violation. It will remain in effect until such time that a future version of a FERC or other applicable government authority approved standard or interpretation becomes effective and addresses the specific issue contained in this CAN.

For any enforcement action in process and for audits that have been initiated,² a CEA will apply the appropriate discretion, including consideration of the specific facts and circumstances of the non-compliance, in determining whether to assess compliance pursuant to this CAN.

Evidence of Compliance

1. When auditing the BA, a CEA is to verify that the BA communicated generation resources, and
2. When auditing the TOP, a CEA is to verify that the TOP communicated transmission resources.

This evidence could include, but is not limited to: operator logs, voice recordings and electronic communications. A CEA is to verify the 90 days of historical data retained by the BA and TOP pursuant to the standard (see section D. Compliance, subsection 1.3 Data Retention of TOP-006). To verify compliance for the remainder of the audit period, a CEA may review processes, procedures, or other evidence to demonstrate compliance.

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² "Initiated" means that a registered entity has received notification of the upcoming audit.

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This document is designed to convey compliance monitoring instruction to achieve a measure of consistency among auditors and Compliance Enforcement Authorities. It is not intended to establish new requirements under NERC's Reliability Standards or to modify the requirements in any existing NERC Reliability Standard. Compliance will continue to be assessed based on language in the currently enforceable NERC Reliability Standards. This document is not intended to define the exclusive method an entity must use to comply with a particular standard or requirement, or foreclose a registered entity's demonstration by alternative means that it has complied with the language and intent of the standard or requirement, taking into account the facts and circumstances of a particular registered entity. Implementation of information in this document is not a substitute for compliance with requirements in NERC's Reliability Standards.

Revision History

Posted Date	Action	Revision
July 19, 2011	Posted Final CAN	
November 16, 2011	Posted Revised CAN	Revised target audience to CEAs