

## Compliance Application Notice — DRAFT

Compliance Application: Unavailability of NERC Tools

Posted [DATE]

### Primary Interest Groups

NERC

Regional Entities

Registered Entities using a NERC Tool to fulfill Reliability Standards' requirement(s)

### Issue: Performance obligations for a registered entity when a NERC Tool is unavailable

NERC received a request to clarify a registered entity's performance obligation when a NERC Tool is unavailable.

### Reliability Objective

To foster compliance with the NERC Reliability Standards through clear communication of performance obligations.

### Background

Registered Entities may be using NERC tools to perform tasks required by the NERC Reliability Standards. There are three situations under which this may be occurring:

1. A NERC Reliability Standard requires the use of a NERC Tool; however, there are other means available to accomplish the requirements.  
**For example:** EOP-002-2.1 R2 requires the use of the Reliability Coordinator Information System (RCIS); IRO-006-4.1 R1.4 requires posting information on applicable NERC web pages; and IRO-006-1.4 R1.4.1 requires the use of the RCIS.
2. A NERC Reliability Standard does not require the use of a NERC Tool (*i.e.*, does not name a NERC Tool), but a NERC Tool is the only way to accomplish the requirement.  
**For example:** EOP-005-1 R11.3 requires affected Balancing Authorities to immediately review the Interchange Schedules. In the Eastern Interconnection, the NERC IDC Tool is the only tool available for registered entities to accomplish this requirement.
3. A NERC Reliability Standard does not require the use of a NERC Tool (*i.e.*, does not name a NERC Tool) and there are other means available to accomplish the requirements. Nevertheless, some registered entities may be relying upon a NERC Tool to accomplish a NERC Reliability Standard's requirements.

**For example:** IRO-002-2 R4, R5 and R6, and IRO-003-2 R1 and R2 are Reliability Standard Requirements that do not specify a tool; however, registered entities may rely upon NERC Inter-regional Security Network (NERC ISN,) aka NERCnet, to accomplish the requirements.

### **Compliance Application**

NERC is addressing this issue as directed by FERC in Order No. 693<sup>1</sup> through the Standards Development Process in Project 2009-02: Real-time Reliability Monitoring and Analysis Capabilities. As stated in the Standard Authorization Request (SAR) Form:

*The scope of the SAR is to establish requirements for the monitoring and analysis capabilities provided to System Operators and used to support Real-time System Operations. The SAR addresses availability parameters, performance metrics, and procedures for failure notification, maintenance coordination, and change management. The intent is to describe ‘what’ needs to be done but not ‘how’ to do it.*

Project 2009-02 is in progress to resolve language in standards that require the use of NERC Tools; however, until such time that a revised standard would change the below guidance, the following will be considered in the determination of a violation:<sup>2</sup>

**1. During the time that a NERC Tool is not available and a NERC Reliability Standard:**

- a. requires the use of a NERC Tool and**
- b. other means of accomplishing the requirements are available**

A registered entity would be required to use a back-up tool or alternate method of accomplishing the requirements in order to be compliant with the standard at issue.

A registered entity is always expected to have a back-up tool or alternate method of accomplishing a standard’s requirements, where one is available, for situations where its primary tool is unavailable (regardless if it is a NERC tool or not).

**2. During the time a NERC Tool is not available and a NERC Reliability Standard:**

- a. does not require the use of a NERC Tool, but**
- b. a NERC Tool is the only way to accomplish the requirement**

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<sup>1</sup> “... the Commission clarifies that the Commission’s intent is to have the ERO develop a requirement that identifies capabilities, not actual tools or products.” *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 at P 906 (2007) (Order No. 693), *reh’g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A). . See also Order No. 693 at P 1660 “We adopt our proposal to require the ERO to develop a modification related to the provision of a minimum set of analytical tools. In response to LPPC and others, we note that our intent was not to identify specific sets of tools, but rather the minimum capabilities that are necessary to enable operators to deal with real-time situations and to ensure reliable operation of the Bulk-Power System. In response to APPA that the inclusion of specific analytical tools is counterproductive because the tools will become obsolete, we note that we are not seeking specific analytical tools, but rather minimum capabilities.”

<sup>2</sup> Future revisions to any standard resulting from Project 2009-02 may or may not include a change to this Compliance Application Notice.

A registered entity would not be required to have a back-up tool or alternate method to accomplish the requirements (as one is not available), but would be expected to: 1) take actions as necessary act in the best interests of the Interconnection at all times;<sup>3</sup> and 2) take all reasonable steps, outside of having the NERC Tool available, to accomplish the requirements of the standard at issue in order to be compliant with the standard at issue. As long as these two items are met, this would preclude the finding of a violation.

**3. Where a NERC Tool is not available and a NERC Reliability Standard:**

- a. does not require the use of a NERC Tool by naming a NERC Tool, however**
- b. a registered entity is rely upon a NERC Tool, although there are other tools available**

A registered entity would be required to have a back-up tool or method of accomplishing the requirements in order to be compliant with the standard at issue.

As stated in scenario #1, a registered entity is always expected to have a back-up tool or alternate method of accomplishing a standard's requirements, where one is available, for situations where its primary tool is unavailable (regardless if it is a NERC tool or not).

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*This document is designed to convey compliance guidance from NERC's various activities. It is not intended to establish new requirements under NERC's Reliability Standards or to modify the requirements in any existing NERC Reliability Standards. Compliance will continue to be determined based on language in the NERC Reliability Standards as they may be amended from time to time. Implementation of this compliance application notice is not a substitute for compliance with requirements in NERC's Reliability Standards.*

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<sup>3</sup> See NERC Reliability Standard IRO-005-2 R16 for specific applicability to Reliability Coordinators.