

FEDERAL ENERGY REGULATORY COMMISSION

Washington, DC 20426

Office of Electric Reliability

July 30, 2013

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Reference: Docket No. NP13-41-000

Subject: Data Request Regarding FirstEnergy Affiliates

To Whom It May Concern:

On June 27, 2013, the North American Electric Reliability Corporation (NERC) filed a Spreadsheet Notice of Penalty in Docket No. NP13-41-000, which included ten violations regarding FirstEnergy affiliates for which Reliability*First* (RFC) entered into a settlement agreement with FirstEnergy assessing a zero dollar penalty. On July 24, 2013

NERC filed supplemental information. In the absence of Commission action within thirty (30) days, the penalty would have been affirmed by operation of law.<sup>1</sup>

Pursuant to 18 C.F.R. § 39.7(e)(1) (2013), the Commission issued a notice extending until August 26, 2013 the time period for consideration whether to review on its own motion the following penalties contained in the Notice of Penalty in Docket No. NP13-41-000:

| <u>Violation ID:</u> | <u>Affiliate Entity Name:</u>               |
|----------------------|---|
| RFC2011001109        | Jersey Central Power & Light Company        |
| RFC2011001126        | Ohio Edison Company                         |
| RFC2011001127        | Toledo Edison Company                       |
| RFC2011001128        | FirstEnergy Generation Corp.                |
| RFC2011001129        | American Transmission Systems, Incorporated |
| RFC2011001130        | Monongahela Power Company                   |
| RFC2011001131        | Allegheny Energy Supply Company, L.L.C.     |
| RFC2011001132        | Allegheny Energy Supply Company, L.L.C.     |
| RFC2011001220        | Metropolitan Edison Company                 |
| RFC2012011388        | American Transmission Systems, Incorporated |

If no further action is taken by the Commission in this matter by that date, the penalty will be deemed affirmed by operation of law.

To facilitate this consideration, NERC and RFC are directed to file responses to the enclosed requests for data and documents. As appropriate, NERC and RFC may seek non-public treatment of information in the responses pursuant to sections 388.112 or 388.113 of the Commission's regulations, 18 C.F.R. §§ 388.112, 388.113 (2013).

This letter is issued pursuant to the authority delegated to the Director, Office of Electric Reliability under 18 C.F.R. § 375.303 and is interlocutory. This order is not subject to rehearing pursuant to 18 C.F.R. § 385.713. A response to this order must be filed within 15 days of the date of this letter. You are encouraged to e-file your responses with the Commission. Instructions for e-filing are provided on the Commission's website at [www.ferc.gov/docs-filing/efiling.asp](http://www.ferc.gov/docs-filing/efiling.asp). Otherwise, if you choose to file hard copies, send your response to:

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

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<sup>1</sup> 18 C.F.R. § 39.7(e) (1) (2013).

Irrespective of your filing method, please also provide a copy of your response to:

Mark E. Hegerle  
Office of Electric Reliability  
888 First Street, NE  
Washington, DC 20426

Any questions regarding this letter should be directed to Mark Hegerle at 202-502-8287 or [mark.hegerle@ferc.gov](mailto:mark.hegerle@ferc.gov).

Sincerely,

A handwritten signature in black ink that reads "Michael Bardee". The signature is written in a cursive style with a large, stylized "M" and "B".

Michael Bardee  
Director  
Office of Electric Reliability

## Enclosure

### Data and Document Request to: NERC and RFC

- 1) NERC's July 24, 2013 Supplemental Filing in Docket No. NP13-41-000, at page 2, states that FirstEnergy "revised its transmission Protection System maintenance and testing program on January 1, 2013 in order to support the consolidation of Protection System maintenance and testing programs from multiple FirstEnergy registered transmission entities." Provide the following documents relating to FirstEnergy's transmission Protection System maintenance and testing program(s):
  - a. The revised (consolidated) FirstEnergy Protection System maintenance and testing program of January 1, 2013.
  - b. The programs in effect immediately prior to the January 1, 2013 revised consolidated program.
  - c. A narrative identifying specific January 1, 2013 revisions and describing how those improvements strengthen FirstEnergy's maintenance and testing program and prevent recurrence of violations identified in Docket Nos. NP11-52-000, NP11-186-000, NP13-26-000, and NP13-41-000.
  
- 2) According to page 2 of the supplemental information provided, "During the fourth quarter of 2011, FirstEnergy initiated a practice to conduct monthly assessments of all documentation associated with completed work orders affecting protection system components." Provide the following documentation:
  - a. The process followed in conducting the monthly assessments.
  - b. The process used when potential areas for improvement are identified in the monthly assessments.
  - c. Indicate whether the monthly assessments are ongoing, or whether this was only a remedial program to resolve past violations.
  
- 3) According to page 2 of the supplemental information provided, "Additionally, these [monthly] assessments allow for critical self-evaluation, feedback, and management oversight relative to identifying potential areas for improvement associated with program documentation practices." For the time period from January 2012 to present provide the following:
  - a. A narrative of how the processes implemented by FirstEnergy use the monthly assessments for "critical self-evaluation, feedback and management oversight" to identify potential areas of improvement and include any supporting documentation (e.g. procedures, guidelines, etc.).
  - b. Regarding the "management oversight," identify the level of management engaged in the assessment, including the position titles of the personnel involved in these processes and include associated organizational charts.
  - c. A narrative describing how the monthly assessments are aggregated and communicated to appropriate personnel within FirstEnergy to facilitate the

identification of potential areas for improving program documentation practices.

- 4) Regarding the improved program stated as part of the penalty considerations at page two of the supplemental information, provide an estimate of any expenses incurred, or to be incurred, by FirstEnergy to improve its Protection System maintenance and testing program in response to the violations filed in Docket No. NP13-41-000. How was the cost of the improved program considered in the penalty determination?