



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

July 30, 2010

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

**Re: NERC Abbreviated Notice of Penalty
Baltimore Gas & Electric Company (BGE), FERC Docket No. NP10-__-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding BGE,¹ with information and details regarding the nature and resolution of the violation² discussed in detail in the Settlement Agreement (Attachment a) and the Disposition Document (Attachment b), in accordance with the Federal Energy Regulatory Commission's (Commission or FERC) rules, regulations and orders, as well as NERC Rules of Procedure including Appendix 4C (NERC Compliance Monitoring and Enforcement Program (CMEP)).³

On March 19, 2009, BGE self-reported to ReliabilityFirst Corporation (ReliabilityFirst) that its internal audit process identified three transmission facilities with a combined total of six 115 kV-associated Protection Systems for which BGE could not provide evidence of compliance with the maintenance and testing requirements in violation of PRC-005-1 Requirement (R) 2.1 and R2.2.

¹ On June 4, 2008, NERC filed a Notice of Penalty under FERC Docket Number NP08-1-000 regarding a Notice of Confirmed Violation for BGE's violation of FAC-003-1 R2. On July 3, 2008, FERC issued an order stating it would not engage in further review of the Notice of Penalty. On October 14, 2009, NERC submitted an Omnibus filing under FERC Docket Number NP10-2-000 which addressed violations for certain registered entities including violations of FAC-009-1 R1 for BGE. On November 13, 2009, FERC issued an order stating it would not engage in further review of the violations addressed in the Omnibus Notice of Penalty.

² For purposes of this document, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

³ *Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards* (Order No. 672), III FERC Stats. & Regs. ¶ 31,204 (2006); *Notice of New Docket Prefix "NP" for Notices of Penalty Filed by the North American Electric Reliability Corporation*, Docket No. RM05-30-000 (February 7, 2008). See also 18 C.F.R. Part 39 (2010). *Mandatory Reliability Standards for the Bulk-Power System*, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *reh'g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A). See 18 C.F.R. § 39.7(c)(2).

While completing its Mitigation Plan for the self-reported violation, BGE identified two additional Protection Systems for which BGE could not provide evidence of compliance with the maintenance and testing. This NOP is being filed with the Commission because ReliabilityFirst and BGE have entered into a Settlement Agreement to resolve all outstanding issues arising from ReliabilityFirst's determination and findings of the enforceable violations of PRC-005-1 Requirement (R) 2.1 and R2.2. According to the Settlement Agreement, BGE neither admits nor denies the violation, but has agreed to the assessed penalty of ten thousand dollars (\$10,000) in addition to other remedies and actions to mitigate the instant violations and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violations identified as NERC Violation Tracking Identification Number RFC200900123 are being filed in accordance with the NERC Rules of Procedure and the CMEP.

Statement of Findings Underlying the Violations

This NOP incorporates the findings and justifications set forth in the Settlement Agreement executed on April 16, 2010, by and between ReliabilityFirst and BGE. The details of the findings and the basis for the penalty are set forth in the Disposition Document. This NOP filing contains the basis for approval of the Settlement Agreement by the NERC Board of Trustees Compliance Committee (NERC BOTCC). In accordance with Section 39.7 of the Commission's regulations, 18 C.F.R. § 39.7, NERC provides the following summary table identifying each violation of a Reliability Standard resolved by the Settlement Agreement, as discussed in greater detail below.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty (\$)
ReliabilityFirst Corporation	Baltimore Gas & Electric	NOC-535	RFC200900123	PRC-005-1	2.1, 2.2	High ⁴	10,000

The text of the Reliability Standard at issue is set forth in the Disposition Document.

PRC-005-1 - OVERVIEW⁵

ReliabilityFirst determined that BGE, as a Transmission Owner and a Distribution Provider, did not have the documentation as required by PRC-005-1 R2.1 and R2.2 to demonstrate the maintenance and testing of eight 115 kV-associated Protection Systems.⁶

The duration of the PRC-005-1 R2.1 and R2.2 violation was from June 18, 2007, when the Standard became mandatory and enforceable, through November 4, 2009, the date BGE finished testing all of its Protection Systems. The Mitigation Plan was completed on December 15, 2009.

⁴ PRC-005-1 R2 has a "Lower" VRF and PRC-005-1 R2.1 and R2.2 each have a "High" VRF. During a final review of the standards subsequent to the March 23, 2007 filing of the Version 1 VRFs, NERC identified that some standards requirements were missing VRFs; one of these include PRC-005-1 R2.1. On May 4, 2007, NERC assigned PRC-005 R2.1 a "High" VRF. In the Commission's June 26, 2007 Order on Violation Risk Factors, the Commission approved the PRC-005-1 R2.1 "High" VRF as filed. Therefore, the "High" VRF was in effect from June 26, 2007.

⁵ Further information on this violation is contained in the Disposition Document included as Attachment b.

⁶ These eight Protection Systems constitute less than 1.7% (8 out of 489) of the Protection System devices.

ReliabilityFirst determined that BGE's violation of PRC-005-1 R2.1 and R2 did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because all eight Protection Systems at issue had redundant Protection Systems present at the time of the violation. The protection is redundant because the backup system can detect all faults that the primary system would detect. BGE tested and determined that this redundant protection was fully operational at all relevant times. Furthermore, BGE resolved the risk of dropping distribution load due to the false operation of differential relays by temporarily isolating the faulty relays on the Protection Systems on March 7, 2009 and replacing the faulty relays on March 9 and 10, 2009.

Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed⁷

Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, the Commission's July 3, 2008 and October 26, 2009 Guidance Orders,⁸ the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on June 10, 2010. The NERC BOTCC approved the Settlement Agreement, including ReliabilityFirst's assessment of a ten thousand dollars (\$10,000) financial penalty⁹ against BGE and other actions to facilitate future compliance required under the terms and conditions of the Settlement Agreement. In approving the Settlement Agreement, the NERC BOTCC reviewed the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violation at issue.

In reaching this determination, the NERC BOTCC considered the following factors:

1. the violations constituted BGE's first occurrence of violations of the subject NERC Reliability Standard;
2. BGE self-reported the violation;
3. ReliabilityFirst reported that BGE was cooperative throughout the compliance enforcement process;
4. the quality of the BGE compliance program, as discussed in the Disposition Document;
5. ReliabilityFirst reported there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
6. the violation did not pose a serious or substantial risk to the BPS, as discussed above and in the Disposition Document; and
7. ReliabilityFirst reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

⁷ See 18 C.F.R § 39.7(d)(4).

⁸ *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009).

⁹ According to the Settlement Agreement, ReliabilityFirst states that it has the right to apply these penalties on a daily basis for the duration of the violation; however, due to the circumstances surrounding the violations, ReliabilityFirst determined that a \$10,000 penalty was appropriate.

For the foregoing reasons, the NERC BOTCC approves the Settlement Agreement and finds that the assessed penalty of ten thousand dollars (\$10,000) is appropriate for the violation and is consistent with NERC's goal to promote and ensure reliability of the BPS.

Pursuant to 18 C.F.R. § 39.7(e), the penalty will be effective upon expiration of the 30 day period following the filing of this Notice of Penalty with FERC, or, if FERC decides to review the penalty, upon final determination by FERC.

Attachments to be included as Part of this Notice of Penalty

The attachments to be included as part of this Notice of Penalty are the following documents:

- a) Settlement Agreement between ReliabilityFirst and BGE, executed April 16, 2010, included as Attachment a;
 - i. BGE's Self-Report dated March 19, 2009, included as Attachment a to the Settlement Agreement;
 - ii. BGE's Mitigation Plan Status Update dated December 2, 2009, included as Attachment b to the Settlement Agreement;
 - iii. Mitigation Plan designated as MIT-07-1924 submitted July 13, 2009, included as Attachment c to the Settlement Agreement;
 - iv. Certification of Mitigation Plan Completion Submitted December 18, 2009, included as Attachment d to the Settlement Agreement;
 - v. Summary and Review (ReliabilityFirst's Verification) of Mitigation Plan Completion dated January 28, 2010, included as Attachment e to the Settlement Agreement; and
- b) Disposition Document dated June 10, 2010 included as Attachment b.

A Form of Notice Suitable for Publication¹⁰

A copy of a notice suitable for publication is included in Attachment c.

¹⁰ See 18 C.F.R. § 39.7(d)(6).

Notices and Communications

Notices and communications with respect to this filing may be addressed to the following:

<p>Gerald W. Cauley* President and Chief Executive Officer David N. Cook* Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, NJ 08540-5721 (609)452-8060 (609) 452-9550 – facsimile gerry.cauley@nerc.net david.cook@nerc.net</p> <p>Stephen Woerner* Vice President Baltimore Gas and Electric Company 7309 Windsor Mill Road Baltimore, Maryland 21244 (410) 597-6465 stephen.j.woerner@bge.com</p> <p>Kevin D. Ryan* Counsel Baltimore Gas and Electric Company Two Center Plaza 110 West Fayette Street Baltimore, Maryland 21201 (410) 470-1402 Kevin.d.ryan@bge.com</p> <p>Daniel Taormina* Manager, NERC Compliance and Standards Baltimore Gas and Electric Company 7309 Windsor Mill Rd. Baltimore, MD 21244 (410) 597-7593 dan.taormina@bge.com</p> <p>*Persons to be included on the Commission's service list are indicated with an asterisk. NERC requests waiver of the Commission's rules and regulations to permit the inclusion of more than two people on the service list.</p>	<p>Rebecca J. Michael* Assistant General Counsel Holly A. Hawkins* Attorney North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, DC 20005-3801 (202) 393-3998 (202) 393-3955 – facsimile rebecca.michael@nerc.net holly.hawkins@nerc.net</p> <p>Timothy R. Gallagher* President & CEO ReliabilityFirst Corporation 320 Springside Drive, Suite 300 Akron, Ohio 44333 (330) 456-2488 (330) 456-5390 – facsimile tim.gallagher@rfirst.org</p> <p>Raymond J. Palmieri* Vice President and Director of Compliance ReliabilityFirst Corporation 320 Springside Drive, Suite 300 Akron, Ohio 44333 (330) 456-2488 (330) 456-5408 – facsimile ray.palmieri@rfirst.org</p> <p>Robert K. Wargo* Manager of Compliance Enforcement ReliabilityFirst Corporation 320 Springside Drive, Suite 300 Akron, Ohio 44333 (330) 456-2488 (330) 456-5408 – facsimile bob.wargo@rfirst.org</p>
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	Michael D. Austin Compliance Enforcement Specialist ReliabilityFirst Corporation 320 Springside Drive, Suite 300 Akron, Ohio 44333 (330) 456-2488 (330) 456-5408 – facsimile mike.austin@rfirst.org
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Conclusion

Accordingly, NERC respectfully requests that the Commission accept this NOP as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley
President and Chief Executive Officer
David N. Cook
Vice President and General Counsel
North American Electric Reliability Corporation
116-390 Village Boulevard
Princeton, NJ 08540-5721
(609) 452-8060
(609) 452-9550 – facsimile
gerry.cauley@nerc.net
david.cook@nerc.net

/s/ Rebecca J. Michael
Rebecca J. Michael
Assistant General Counsel
Holly A. Hawkins
Attorney
North American Electric Reliability
Corporation
1120 G Street, N.W.
Suite 990
Washington, DC 20005-3801
(202) 393-3998
(202) 393-3955 – facsimile
rebecca.michael@nerc.net
holly.hawkins@nerc.net

cc: Baltimore Gas & Electric Company
ReliabilityFirst Corporation

Attachments

Attachment a

Settlement Agreement between Reliability*First* and BGE, executed April 16, 2010



In re BALTIMORE GAS)	RFC200900123
AND ELECTRIC COMPANY)	
)	
)	
)	
)	
NERC Registry ID # NCR00689)	
PRC-005-1, Requirement 2)	

**SETTLEMENT AGREEMENT
OF
RELIABILITYFIRST CORPORATION
AND
BALTIMORE GAS AND ELECTRIC COMPANY**

I. INTRODUCTION

1. ReliabilityFirst Corporation (“ReliabilityFirst”) and Baltimore Gas and Electric Company (“BGE”) enter into this Settlement Agreement ("Agreement") to resolve all outstanding issues arising from a preliminary and non-public investigation resulting in ReliabilityFirst’s determination and findings, pursuant to the North American Electric Reliability Corporation (“NERC”) Rules of Procedure, of an alleged violation by BGE of the NERC Reliability Standard PRC-005-1, Requirement 2.

II. STIPULATION OF FACTS

2. BGE and ReliabilityFirst agree and stipulate to Sections I, II, IV, and V of this Agreement in their entirety, and affirm the accuracy of their respective representations contained within Section III of this Agreement. The facts stipulated herein are stipulated solely for the purpose of resolving between BGE and ReliabilityFirst the subject matter of this Agreement and do not constitute admissions or stipulations for any other purpose.

A. Background.

3. BGE is based in Baltimore, Maryland and serves more than 1.2 million business and residential electric customers. BGE's territory covers over 2,000 square miles in Maryland. On May 30, 2007, BGE registered on the NERC Compliance Registry as a Distribution Provider ("DP"), Load Serving Entity, Purchasing-Selling Entity, and Transmission Owner ("TO").
4. ReliabilityFirst staff confirmed that BGE is registered on the NERC Compliance Registry as a TO and DP in the ReliabilityFirst region with the NERC Registry Identification Number of NCR00689 and is, therefore, subject to compliance with PRC-005-1, R2.

B. Alleged Violation of PRC-005-1, Requirement 2 – RFC200900123.

5. In pertinent part, PRC-005-1, R2, states:

Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its Regional Reliability Organization on request (within 30 days calendar days). The documentation of the program shall include:

R2.1. Evidence Protection System devices were maintained and tested within the defined intervals.

R2.2. Date each Protection System device was last tested/maintained.

6. ReliabilityFirst determined that BGE had eight instances of a failure to test or maintain Protection Systems in accordance with PRC-005-1, R2.1 and R2.2. BGE reported to ReliabilityFirst six of the missed Protection Systems through a Self-Report, and two of the missed Protection Systems during the performance of its Mitigation Plan (defined below). These eight Protection Systems constitute less than 1.7% (eight out of 489) of BGE's total Protection Systems.

The Six Protection Devices Disclosed Through Self-Report.

7. On May 9, 2007, ReliabilityFirst clarified the definition of the Bulk Electric System ("BES"), and, thereafter, requested all Registered Entities within its territory, including BGE, to submit a transition plan identifying (a) the action items required to bring their respective compliance programs into compliance with all NERC Reliability Standards to account for the BES definition

clarification; and (b) the time table to implement and complete these action items.

8. On July 24, 2007, BGE filed with ReliabilityFirst its transition plan (“Transition Plan”), which it completed on June 1, 2008. BGE’s Transition Plan was necessary for BGE to incorporate, *inter alia*, 115kV-associated Protection Systems that it previously excluded from its Protection and Testing Maintenance Program.¹ While the Transition Plan extended BGE’s compliance program to include 132 additional Protection Systems in its Protection and Testing Maintenance Program, BGE failed to include six 115kV-associated Protection Systems in its Maintenance Management System Database that it was required to include in order to comply with PRC-005-1. First, BGE failed to include three 115kV-associated Protection Systems in its Maintenance Management System Database as a result of its misunderstanding that radial, load-serving transformers tapped from 115kV circuits were not included within the meaning of the BES.² Second, a BGE administrative error caused BGE to exclude three 115kV-associated Protection Systems from its Maintenance Management System Database that BGE’s Transition Plan required it to include.³
9. Although BGE failed to include these six 115kV-associated Protection Systems in its Protection and Testing Maintenance Program, it completed the PRC-005-1 portion of its Transition Plan on December 31, 2007, approximately 5 months after filing the Transition Plan. This resulted in BGE’s prompt incorporation of 132 previously excluded Protection Systems into its Protection and Testing Maintenance Program.
10. On March 19, 2009, BGE reported to ReliabilityFirst, via ReliabilityFirst’s Compliance Monitoring and Enforcement Program Violation Self-Reporting Form (“Self-Report”), that its internal audit process, which is included within its NERC compliance program, identified three transmission facilities with a combined total of six 115kV-associated Protection Systems that lacked documentation of compliance with the maintenance and testing requirements in

¹ After its review of ReliabilityFirst’s clarification of the BES definition, BGE became aware that its 115kV-associated Protection Systems were subject to compliance with PRC-005-1. Prior to the creation of ReliabilityFirst, the Mid-Atlantic Area Council (“MAAC”) was BGE’s former reliability council and MAAC’s prior practices established that these Protection Systems were excluded from the MAAC PRC-005-1 maintenance and testing requirements.

² BGE became aware of its misunderstanding, on or about July 7, 2008, after reviewing and responding to various correspondence from ReliabilityFirst, which ultimately confirmed that radial, load-serving transformers tapped from 115kV circuits are included within the meaning of the BES.

³ BGE became aware that it failed to include these three Protection Systems on February 2, 2009, during an internal, third-party audit.

accordance with NERC Standard PRC-005-1, R2.1 and R2.2. *See*, BGE Self-Report (attached as **Attachment a**).

11. The six Protection Systems consisted of (a) three bus devices; (b) two transformer differential relays for two transformers; and (c) one Protection System comprised of relays and transformers on a load-serving BES circuit serving one industrial customer rated at 115kV.
12. After identifying the six missed Protection Systems, BGE commenced testing to ensure the reliability of the BES. First, BGE completed the testing of the three bus devices on March 20, 2009. This testing demonstrated that there were no abnormal conditions and no additional remediation was required to maintain reliability.
13. Second, on March 7, 2009,⁴ BGE tested the two transformers and found issues with two of the transformer differential relays. One differential relay was operational, but did not match the manufacturer's specifications during calibration testing. The other differential relay short-circuited during operation testing when BGE attached a laptop computer to its serial port.
14. Given that BGE maintains fully redundant transformer protection, which includes fault pressure and overcurrent relays, the two transformers never experienced a loss of protection. The protection is redundant because the backup system can detect all faults that the primary system would detect. BGE tested and determined that this redundant protection was fully operational at all relevant times. Furthermore, BGE resolved the risk of dropping distribution load due to the false operation of differential relays by temporarily isolating the faulty relays on the Protection System on March 7, 2009. BGE subsequently replaced the faulty relays on March 9 and 10, 2009, which restored BGE's protection systems to the as-designed level of redundancy.
15. Third, BGE tested the Protection System comprised of relays and transformers on a load-serving BES circuit serving one industrial customer rated at 115kV, and determined that this Protection System, including its relays, transformers, and batteries, was functioning properly at all relevant times.

The Two Protection Systems Disclosed During Mitigation Plan Performance.

16. In September 2009, BGE verbally disclosed to ReliabilityFirst that during its Mitigation Plan (defined below) completion process, it discovered two additional Protection Systems that, although included within the Transition Plan, lacked

⁴ During the 12-day period between this discovery date and the Self-Report, BGE was in the process of identifying, testing, and mitigating this potential violation.

documentation of compliance with the maintenance and testing requirements under PRC-005-1, R2.1 and R2.2. On December 2, 2009, BGE submitted to ReliabilityFirst its Mitigation Status Report to memorialize this disclosure and provide a status update on its Mitigation Plan (defined below) completion process. *See*, BGE Mitigation Status Report (attached as **Attachment b**).

17. In September 2009, BGE discovered one Protection System for a 115kV tie between buses, including relays and current transformer (“CT”) and direct current (“DC”) wiring, which was not included in BGE’s Maintenance Management System Database and was overdue for testing. Since the testing was overdue for this Protection System, BGE immediately informed ReliabilityFirst of the need to test this Protection System. BGE completed this testing on September 30, 2009.
18. BGE discovered that the other missed Protection System was a 115kV Protection System, consisting of relays and CT and DC wiring, that was incorrectly reported as complete for maintenance and testing despite the fact that no work was performed. The incorrect work order was issued and closed in 2007, despite the fact that maintenance and testing was last performed in 2004. Given that the protection system was on a four-year interval, BGE was required to perform the maintenance and testing of the Protection System in 2008. To correct this missed maintenance and testing, BGE scheduled the necessary testing and completed it on November 4, 2009. BGE also analyzed its Maintenance Management System Database, testing records, and other supplementary data and confirmed that no other similar omissions occurred.
19. ReliabilityFirst alleges that BGE failed to effectively test eight of its Protection Systems in accordance with their Protective System Device Maintenance and Testing Program.

III. PARTIES’ SEPARATE REPRESENTATIONS

A. Statement of ReliabilityFirst and Summary of Findings as to BGE.

20. ReliabilityFirst considers this Agreement as the resolution of all issues with regard to the above captioned docket number and to bind BGE in the commitment to perform actions hereafter enumerated and listed as conditions for this Agreement.
21. PRC-005-1, R2 has a Violation Risk Factor (“VRF”) of “Lower,” consistent with the Violation Risk factor matrix promulgated by NERC. However, PRC-005-1 R2.1 and R2.2 carry a VRF of “High” and, because BGE failed to have evidence that Protection Systems were maintained and tested within the defined intervals, the VRF of “High” applies. The duration of this alleged violation, for purposes of penalty determination, is from June 18, 2007, the date the NERC Reliability Standards became enforceable, through November 4, 2009, the date that BGE

finished testing all of its Protection Systems. Pursuant to Section 316A(b) of the Federal Power Act (16 U.S.C. § 825o-1),⁵ it is appropriate to apply this penalty on a daily basis for the duration of the violation.

22. ReliabilityFirst commends certain aspects of BGE's compliance program. For example, BGE's Director of Reliability and Compliance Assurance has independent access to BGE's President and CEO, and has routine communications with BGE's President regarding BES reliability issues. The Director of Reliability and Compliance Assurance also has access to BGE's Board of Directors.
23. The BGE compliance program is primarily focused in BGE's Electric System Reliability Standards Team and the Reliability and Compliance Assurance Unit. BGE distributes the responsibility of its compliance program responsibility among four divisions headed by four Senior Vice Presidents, which include BGE's divisions of Electric Business Operations and Planning, Asset Management Services, Integrated Field Service, and Strategy and Regulatory Affairs. BGE assigns each applicable reliability standard to an individual for overall responsibility for compliance with the standard. Each requirement within the standard is assigned to a Standard Owner, an individual or individuals, to ensure compliance with each specific requirement. The Standard Owner is responsible for developing and documenting all compliance programs and documents to ensure compliance with the Standards.
24. BGE's Reliability and Compliance Assurance Unit conducts regular training of Standard Owners responsible for implementing the compliance programs for standards through regular meetings with the Electric System Reliability Standards Team. BGE is also currently developing a training program for all of its employees to increase awareness of the need for compliance with the NERC Reliability Standards.
25. ReliabilityFirst agrees that this agreement is in the best interest of the parties and in the best interest of BES reliability.

B. Statement of BGE.

26. BGE neither admits nor denies that the facts set forth and agreed to by the parties for purposes of this Agreement constitute a violation of PRC-005-1, R2.
27. BGE has agreed to enter into this Settlement Agreement with ReliabilityFirst to avoid extended litigation with respect to the matters described or referred to herein, to avoid uncertainty, and to effectuate a complete and final resolution of

⁵ See, also, NERC Sanction Guidelines, at § 3.20 (attached as Appendix 4(B) to the NERC Rules of Procedure).

the issues set forth herein. BGE agrees that this agreement is in the best interest of the parties and in the best interest of maintaining a reliable electric infrastructure.

IV. MITIGATING ACTIONS, REMEDIES AND SANCTIONS

A. Mitigating Actions for PRC-005-1, Requirement 2 – RFC200900123.

28. On July 13, 2009, BGE submitted to ReliabilityFirst its mitigation plan (“Mitigation Plan”) to address the Alleged Violation set forth in this Agreement. *See*, NERC Mitigation Plan ID# MIT-07-1924, BGE Mitigation Plan (attached as **Attachment c**). ReliabilityFirst accepted the Mitigation Plan on August 7, 2009, and on this same date submitted the accepted Mitigation Plan to NERC for approval. NERC approved the Mitigation Plan on September 10, 2009 and, on this same date, submitted the Mitigation Plan to the Federal Energy Regulatory Commission (the “Commission”) as confidential, non-public information. BGE submitted to ReliabilityFirst a certification of completion of the Mitigation Plan, dated December 18, 2009, which stated that the Mitigation Plan was completed as of December 15, 2009. *See*, Certification of Mitigation Plan Completion (attached as **Attachment d**). On December 18, 2009, BGE also submitted to ReliabilityFirst evidence of its completion of the Mitigation Plan.
29. In the Mitigation Plan, BGE outlines actions to mitigate the violation. On March 20, 2009, BGE scheduled the necessary outages and executed the required maintenance and testing on the six protection systems identified in the Self-Report. BGE also reviewed and revised its Maintenance Management System Database to ensure that the missed six Protection Systems are now properly identified. At the time of the Mitigation Plan submission to ReliabilityFirst, on July 13, 2009, BGE had successfully completed all maintenance and testing of the missed six Protection Systems, and outlined further steps to prevent reoccurrence.⁶
30. To ensure that the errors that led to the alleged violation are not repeated, BGE ordered a comprehensive review of its transmission system drawings and Protection System maintenance records by subject matter experts. These experts systematically compared BGE’s protective relay asset maintenance records against BGE’s Maintenance Management System Database and system diagrams.
31. Furthermore, during the PRC-005-1 compliance review portion of the Mitigation

⁶ BGE did not discover the final two Protection Systems, discussed above, until December 2, 2009. Therefore, the Mitigation Plan only discussed the original six Protection Systems. BGE has certified, and ReliabilityFirst has verified, that all testing and maintenance was performed on the final two Protection Systems.

Plan, BGE noted and corrected an oversight in its CT maintenance and testing program. After the incorporation of 115kV-associated Protection Systems into its Protection and Testing Maintenance Program, BGE did not document CT testing activity in its maintenance job plans and work orders for 115kV-associated Protection Systems, despite the fact that the applicable work practice dictated documenting such activity. BGE also noted 88 maintenance job plans and work orders for 115kV-associated Protection Systems that failed to include CT activity testing. To cure these findings, BGE performed and documented “go-back” testing on all CTs for 115kV-associated Protection Systems for which documentation of such testing could not be verified.

32. In its Mitigation Plan, BGE also undertook additional activity to further ensure compliance. For example, BGE implemented and completed a third-party assessment of the PRC-005-1 portion of BGE’s Protective System Device Maintenance and Testing Program to ensure BGE’s current and future compliance with the standard.
33. ReliabilityFirst reviewed the evidence BGE submitted in support of its certification of completion of the Mitigation Plan. ReliabilityFirst verified that all actions specified in the Mitigation Plan were successfully completed. On January 28, 2010, ReliabilityFirst verified that the Mitigation Plan was completed in accordance with its terms. See, Summary and Review of Evidence of Mitigation Plan Completion (attached as **Attachment e**).

B. Monetary Penalty.

34. Based upon the foregoing, BGE shall pay a monetary penalty of \$10,000 to ReliabilityFirst.
35. ReliabilityFirst shall present a \$10,000 invoice to BGE within 20 days after the Agreement is approved by the Commission or affirmed by operation of law. BGE shall have 30 days to remit payment. ReliabilityFirst will notify NERC if it does not timely receive the payment from BGE.
36. If BGE fails to timely remit the \$10,000 monetary penalty payment to ReliabilityFirst, interest will commence to accrue on the outstanding balance, pursuant to 18 C.F.R. § 35.19 (a)(2)(iii), on the earlier of (a) the 31st day after the date on the invoice issued by ReliabilityFirst to BGE for the \$10,000 monetary penalty payment or (b) the 51st day after the Agreement is approved by the Commission or operation of law.
37. ReliabilityFirst may deem BGE’s failure to timely remit the \$10,000 penalty payment as either the same alleged violation identified in this Agreement or additional violation(s) or both, and, if so deemed, BGE will be subject to new or additional enforcement, penalty, or sanction actions in accordance with the

NERC Rules of Procedure. BGE shall retain all rights to defend against such additional actions in accordance with the NERC Rules of Procedure.

V. ADDITIONAL TERMS

38. The terms and conditions of the Agreement are consistent with the regulations and orders of the Commission and the NERC Rules of Procedure.
39. ReliabilityFirst shall report the terms of all settlements of compliance matters to NERC. NERC will review the Agreement for the purpose of evaluating its consistency with other settlements entered into for similar violations or under similar circumstances. Based on this review, NERC will either approve or reject this Agreement. If NERC rejects the Agreement, NERC will provide specific written reasons for such rejection and ReliabilityFirst will attempt to negotiate with BGE a revised settlement agreement that addresses NERC's concerns. If a settlement cannot be reached, the enforcement process shall continue to conclusion. If NERC approves the Agreement, NERC will (a) report the approved settlement to the Commission review and approval by order or operation of law and (b) publicly post the alleged violation and the terms provided for in this Agreement.
40. This Agreement shall become effective upon the Commission's approval of the Agreement by order or operation of law or as modified in a manner acceptable to the parties.
41. BGE agrees that this Agreement, when approved by NERC and the Commission, shall represent a final settlement of all matters set forth herein and BGE waives its right to further hearings and appeal, unless and only to the extent that BGE contends that any NERC or Commission action constitutes a material modification to this Agreement.
42. ReliabilityFirst reserves all rights to initiate enforcement, penalty, or sanction actions against BGE in accordance with the NERC Rules of Procedure in the event that BGE fails to comply with any of the stipulations, remedies, sanctions, or other terms of this Agreement. In the event that BGE fails to comply with the stipulations, remedies, sanctions, or other terms of this Agreement, ReliabilityFirst may initiate enforcement, penalty, or sanction actions against BGE to the maximum extent allowed by the NERC Rules of Procedure, up to and including the maximum statutorily allowed penalty. BGE shall retain all rights to defend against such enforcement actions in accordance with the NERC Rules of Procedure.
43. BGE consents to ReliabilityFirst's future use of conclusions, determinations, and findings set forth in this Agreement for the purpose of assessing the factors within the NERC Sanction Guidelines and applicable Commission orders and policy statements, including, but not limited to, the factor evaluating BGE's

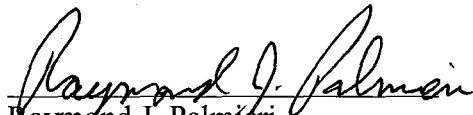
history of violations. Such use may be in any enforcement action or compliance proceeding undertaken by NERC or any Regional Entity or both, provided however that BGE does not consent to the use of the conclusions, determinations, and findings set forth in this Agreement as the sole basis for any other action or proceeding brought by NERC or any Regional Entity or both, nor does BGE consent to the use of this Agreement by any other party in any other action or proceeding.

44. BGE affirms that all of the matters set forth in this Agreement are true and correct to the best of its knowledge, information, and belief, and that it understands that ReliabilityFirst enters into this Agreement in express reliance on the representations contained herein, as well as any other representations or information provided by BGE to ReliabilityFirst during any BGE interaction with ReliabilityFirst relating to the subject matter of this Agreement.
45. Each of the undersigned warrants that he or she is an authorized representative of the entity designated below, is authorized to bind such entity, and accepts the Agreement on the entity's behalf.
46. The signatories to this Agreement agree that they enter into this Agreement voluntarily and that, other than the recitations set forth herein, no tender, offer, or promise of any kind by any member, employee, officer, director, agent, or representative of ReliabilityFirst or BGE has been made to induce the signatories or any other party to enter into this Agreement.
47. The Agreement may be signed in counterparts.
48. This Agreement is executed in duplicate, each of which so executed shall be deemed to be an original.


[SIGNATURE PAGE TO FOLLOW]

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Agreed to and accepted:

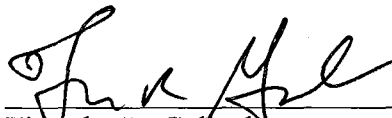

Raymond J. Palmieri
Vice President and Director of Compliance
ReliabilityFirst Corporation

4/14/10
Date


A. Christopher Burton
Senior Vice-President
Baltimore Gas and Electric Asset Management Services
Gas & Electric Operations & Planning

4/15/10
Date

Approved:


Timothy R. Gallagher
President & Chief Executive Officer
ReliabilityFirst Corporation

4/14/10
Date

Attachment a

Compliance Monitoring and Enforcement Program Violation Self- Reporting Form

Dated March 19, 2009



COMPLIANCE MONITORING AND ENFORCEMENT PROGRAM VIOLATION SELF-REPORTING FORM

This Violation Self-Reporting Form can be used for submittals via e-mail or fax for violations of the Reliability Standards identified by a self-assessment.

1. Reliability Standard (XXX-###-# or XXX-###-RFC-##) PRC-005-1
2. Violation(s): Check the appropriate box(s) to identify violation(s) of any of the applicable requirement(s) referenced in the standard.

For violations of requirements with Levels of Non-Compliance or Violation Severity Levels (VSL) specified in the standard:

- ☒ Entity is Level 1 Non-Compliance or has Lower VSL for the following: requirement(s): 2.1, 2.2 for function(s): TO / DP
- ☐ Entity is Level 2 Non-Compliance or has Moderate VSL for the following: requirement(s): _____ for function(s): _____
- ☐ Entity is Level 3 Non-Compliance or has High VSL for the following: requirement(s): _____ for function(s): _____
- ☐ Entity is Level 4 Non-Compliance or has Severe VSL for the following: requirement(s): _____ for function(s): _____

For violations of requirements with no Levels of Non-Compliance or Violation Severity Levels specified in the standard:

- ☐ Entity is in violation of requirement(s) not referenced in the Levels of Non-Compliance or Violation Severity Levels section of the standard:
- requirement(s): _____ for function(s): _____

3. **Description of the violation:** As part of its NERC compliance program, Baltimore Gas and Electric Company (BGE) uses internal auditing to help verify compliance with reliability standards. As a result of this internal process, BGE has identified three transmission facilities with a combined total of six protection systems for which BGE appears to lack documentation of compliance with the maintenance and testing requirements under NERC Standard PRC-005-1, Requirements R.2.1 and R.2.2. A list of the six protection systems at issue, including a breakdown of the associated protection devices, is provided as Attachment A. In order to minimize any potential risk while this matter is being reviewed, BGE promptly ordered and has completed maintenance and testing on the five systems for which maintenance had not yet been completed at the time of discovery.

BGE's inquiry on this matter to date indicates the apparent oversight in documenting past maintenance and testing was in part related to the fact that all of the protection systems were not part of the Bulk Electric System (BES) prior to RFC's adoption of its definition of BES facilities and RFC's subsequent interpretations of that definition. Three of the protection systems at issue are associated with networked 115kV busses, one is associated with a radial 115kV line, and the remaining two protection systems are associated with radial load-serving transformers tapped from 115kV circuits. With regard to the four protection systems associated with 115kV lines or busses, prior practices in the Mid-Atlantic Area Council (MAAC), BGE's former reliability council, excluded such 115kV-associated protection systems from the PRC-005-1 maintenance and testing requirements. However, as a result of RFC's approval of its BES definition on May 9, 2007, protection systems associated with networked 115kV facilities and certain radial 115kV facilities with generation attached became subject to compliance with PRC-005-1 pursuant to BGE's BES Transition Plan. BGE indicated to RFC that it completed its Transition Plan for PRC-005-1 on December 31, 2007. Additionally, protection systems associated with certain radial facilities without connected generation and load-serving transformers tapped from 115kV circuits were not confirmed as part of the BES until receipt of RFC's July 7, 2008 letter stating that such radial facilities are part of the BES. Specifically, these

radial assets were brought within the scope of PRC-005-1 by RFC's July 7, 2008 response to a BGE request for clarification concerning the BES definition. While BGE extended its PRC-005-1 compliance program to hundreds of additional protection devices associated with 115kV lines and load serving transformers in accordance with RFC's expanded and clarified BES definition, it appears that due to an inadvertent oversight the six protection systems in question were not included. The six protection systems at issue represent approximately one-percent of BGE's protection systems covered by PRC-005-1.

4. **Additional information:** BGE has promptly responded by ordering and completing maintenance and testing on the five systems for which maintenance had not yet been completed at the time of discovery. BGE is preparing a robust mitigation plan that will document the mitigation steps completed to date and additional steps being taken to strengthen the Company's PRC-005-1 compliance program.

5. **Mitigation Plan attached:** ☐ Yes ☒ No

6. **Officer Verification:** I understand that this information is being provided as required by the ReliabilityFirst Compliance Monitoring and Enforcement Program. Any review of this violation will require all information certified on this form be supported by appropriate documentation.

Enter NERC Registry ID# NCR00689

Officer's Name: A. Christopher Burton

AC Burton 3/19/09

Officer's Title: Senior Vice-President - BGE Asset Management Services

Officer's e-mail address: acburton@constellation.com Phone: 410-597-6100

Registered Company Name: Baltimore Gas and Electric Company

Primary Compliance Contact/Secondary: Daniel Taormina / John Moraski

Email: dan.taormina@bge.com john.j.moraski@bge.com Phone: 410-597-7593 Date: 3/19/2009

E-mail Submittals to **compliance@rfirst.org** Subject Line: **Violation Self-Report**
For any questions regarding compliance submittals, please e-mail **compliance@rfirst.org**.

Attachment b

BGE Mitigation Status Report

Submitted December 2, 2009

Baltimore Gas and Electric Company
BGE PRC-005 Mitigation Plan Status Report
Milestone Status Reported as of November 1, 2009

Milestone #1. Additional testing of CT's for 55 circuits, transformers and busses that were last tested after June 2007

Fifty-six testing work orders were completed by November 1, 2009. The increase from 55 to 56 is due to the creation of one additional asset in this group resulting from the decision to uniquely identify blocking terminals of load serving transformers. This decision was described in the Mitigation Plan in section D.1(a)4, but, due to the use of reports which predated that action in the formulation of the mitigation plan, the additional asset was not recognized until after the mitigation plan was underway. Fifty protection systems were tested before September 1, 2009 meeting the commitment to test 50% by that date.

Milestone #2 - Additional testing of CT's related to 88 circuits, transformers and busses last tested before June 2007.

After further analysis only seventy seven work orders were required to satisfy the intent of this milestone, and all seventy seven were completed by November 1, 2009. The reduction from 88 to 77 was due to the following reasons:

- Due to reporting latency, it was not initially recognized that **four** protection systems had already been completely tested in 2009 as a part of normally scheduled maintenance, which occurred before the Mitigation Plan was developed;
- It was not initially recognized that **three** relay systems identified in the original analysis had been retired between the last scheduled test and the submission of the Mitigation Plan;
- **Two** of the relay systems in the original list were duplicated in the data base and the report used to prepare the Mitigation Plan;
- Because of an overlap in the filter used to segregate systems tested before June 2007 from those systems tested after June 2007, **one** system was included in both categories when the milestones were developed; and
- The total population of this group was erroneously over counted by **one** in the development of the mitigation plan.

Of the 77 work orders, 66 were completed before September 1, 2009, and 11 were completed between September 1 and November 1, meeting the commitments to compete 50% of the testing by September 1, 2009.

Milestone #3 - Additional testing of 10 CT's related to load serving transformers.

All 10 testing work orders were completed by November 1, 2009, with the last one being completed on September 1, 2009, meeting the commitment to complete 50% by September 1, 2009.

Milestone # 4 - Additional Terminal Resistance testing on 29 batteries.

After further analysis, only 27 work orders were required to satisfy the intent of this milestone and 27 were completed by November 1, 2009. The reduction from 29 to 27 was due to the fact that, in the data used to formulate the mitigation plan, two of the batteries had been incorrectly classified as BES batteries. These two batteries were not in scope for PRC-005-1, nor were they in fact compatible with this testing activity. Of the 27 work orders, all were completed before September 1, 2009, meeting the commitment to test 50% by September 1, 2009.

Milestone # 5 - Revise and Improve the PRC-005 compliance plan by November 1, 2009.

This activity was completed on October 30, 2009, meeting the commitment to complete the task by November 1, 2009.

Milestone # 6 - Complete assessment of the BGE PRC-005 Compliance Plan using an independent third party.

Two third-party reviewers, each with different expertise, have been engaged to review BGE's PRC-005 compliance program and this activity is in progress.

Additional Discoveries

Riverside Tie Bus

In the course of examining system data and test results, BGE discovered that one additional BES protection system for a 115 kV tie between busses, including relays, CT's and DC wiring, had not been included in the PRC-005 maintenance management data base and was overdue for testing. BGE completed that testing on September 30, 2009.

Wagner #3 Generator Leads

In the course of reviewing work order completion data, BGE discovered that one maintenance work order for a 115 kV protection system, consisting of relays, CT's and DC wiring, had been incorrectly reported as complete even though no work had actually been done. The incorrect report was the result of an administrative error. The incorrectly closed work order was issued and closed in 2007 and the last completed maintenance had actually been done in 2004. BGE

scheduled the necessary testing and completed it on November 4, 2009. Additionally, BGE queried its maintenance management data base for other completed jobs with no time charged and reviewed other supplementary data including testing records to confirm that other similar omissions had not occurred.

Attachment c

Mitigation Plan (MIT-07-1924)

Submitted July 13, 2009



Mitigation Plan Submittal Form

Date this Mitigation Plan is being submitted: July 13, 2009

Section A: Compliance Notices & Mitigation Plan Requirements

- A.1 Notices and requirements applicable to Mitigation Plans and this Submittal Form are set forth in "Attachment A - Compliance Notices & Mitigation Plan Requirements."
- A.2 This form must be used to submit required Mitigation Plans for review and acceptance by ReliabilityFirst and approval by NERC.
- A.3 ☒ I have reviewed Attachment A and understand that this Mitigation Plan Submittal Form will not be accepted unless this box is checked.

Section B: Registered Entity Information

- B.1 Identify your organization.

Company Name: Baltimore Gas and Electric Company

Company Address: 7309 Windsor Mill Road
Baltimore, MD 21244

NERC Compliance Registry ID: NCR00689

- B.2 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan.

Name: Daniel Taormina

Title: Manager – NERC Compliance and Standards

Email: dan.taormina@bge.com

Phone: (410) 597-7593

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**Section C: Identification of Alleged or Confirmed Violation(s)
Associated with this Mitigation Plan**

C.1 This Mitigation Plan is associated with the following Alleged or Confirmed violation(s) of the reliability standard listed below.

NERC Violation ID #	Reliability Standard	Requirement Number	Violation Risk Factor	Alleged or Confirmed Violation Date ^(*)	Method of Detection (<i>e.g.</i> , Audit, Self-report, Investigation)
RFC200900123	PRC-005-1	2.1, 2.2	HIGH	March 20, 2009	Self-report

(*) Note: The Alleged or Confirmed Violation Date shall be expressly specified by the Registered Entity, and subject to modification by ReliabilityFirst, as: (i) the date the Alleged or Confirmed violation occurred; (ii) the date that the Alleged or Confirmed violation was self-reported; or (iii) the date that the Alleged or Confirmed violation has been deemed to have occurred on by ReliabilityFirst. Questions regarding the date to use should be directed to the ReliabilityFirst contact identified in Section G of this form.

C.2 Identify the cause of the Alleged or Confirmed violation(s) identified above. Additional detailed information may be provided as an attachment.

As described on BGE's self report in this matter, the alleged violations identified in Section C.1. ("Alleged Violations") were caused by an administrative oversight which resulted in the omission of six protection systems from a data base used to manage, among other things, the maintenance and testing of BGE's bulk electric system ("BES") assets. As a result, BGE was unable to document the maintenance and testing of certain component devices related to the six protection systems. The six protection systems and related devices are identified in Attachment A to BGE's self report.

Note: If a formal root cause analysis evaluation was performed, submit a copy of the summary report.

C.3 Provide any additional relevant information regarding the Alleged or Confirmed violations associated with this Mitigation Plan. Additional detailed information may be provided as an attachment.

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After identifying the Alleged Violations, BGE promptly ordered, completed, and documented maintenance and testing of those protection devices for which maintenance and testing records could not be confirmed. The specific tasks and actions associated with BGE's response are set forth below in Section D.1(a).

Additionally, during its initial response to the Alleged Violations, BGE noted that prompt detection of oversight of the Alleged Violations may have been hampered by the fact that four of the six protective systems at issue are associated with 115kV lines or busses and the remaining two systems are associated with radial load-serving transformers tapped from 115kV circuits. In the past, the Mid-Atlantic Area Council ("MAAC") excluded such protective systems from the PRC-005-1 maintenance and testing requirements. However, as a result of Reliability First Corporation's ("RFC") new bulk electric system ("BES") definition approved in May of 2007 and BGE's related BES Transition Plan, BGE's protection systems associated with 115kV lines or buses became subject to compliance with PRC-005-1 as of December 31, 2007. Additionally, BGE's protection systems associated with radial load-serving transformers tapped from 115kV circuits were not subject to PRC-005-1 requirements until July 7, 2008, pursuant to RFC's clarification of its BES definition.

BGE took steps to extend its PRC-005-1 compliance program to hundreds of additional protection devices associated with 115kV lines and load serving transformers in accordance with RFC's new BES definition and subsequent clarification, and the BGE Transition Plan. These efforts resulted in hundreds of additional protection system devices associated with 115kV lines and load serving transformers being brought into compliance with PRC-005-1. However, during the transition from the old MAAC standards, it appears that the six protective systems in question were inadvertently missed when BGE updated its BES data base.

Accordingly, in addition to mitigating the six protective systems at issue, in response to the Alleged Violation BGE also completed a comprehensive review of all of its BES protective systems to verify that all other protection systems are included in BGE's Maintenance Management data base and has undertaken related tasks to ensure compliance with PRC-005. These additional mitigation activities are set forth below in Sections D.1(a) and (b).

Section D: Details of Proposed Mitigation Plan

Mitigation Plan Contents

- D.1 Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the Alleged or Confirmed violations identified above in Part C.1 of this form. Additional detailed information may be provided as an attachment.

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D.1(a) Tasks and Action Completed To-Date

- (1) **Mitigation and Improvements in the Maintenance and Testing of the Six Protection Systems at Issue.** Upon discovery of the Alleged Violations identified in section C1 of this report, BGE scheduled the necessary outages and executed the required maintenance and testing on the six protection systems identified in the internal compliance audit. BGE also reviewed and revised its BES database used to track maintenance and testing to ensure the six protection systems and related devices are properly identified. All tasks related to this mitigation step are complete.
- (2) **Confirmation of Accuracy of BGE's BES Data Base Used to Track PRC-005 Maintenance and Testing.** To ensure the errors that led to the Alleged Violations are not repeated, BGE ordered a comprehensive review of its transmission system drawings and protection device maintenance records by subject matter experts. These experts systematically compared BGE's protective relay asset maintenance records against BGE's BES database and system diagrams. This review has been completed and has confirmed, with two minor exceptions, that all PRC-005-1 protection systems are identified in the company's BES data base used to manage and track required maintenance and testing.

The two exceptions identified involve (i) a limited number of voltage transformers ("VTs") missing from the database, and (ii) and load serving transformer blocking terminals that were not separately identified in the database. As set forth in the following two paragraphs, BGE has fully mitigated both of these issues.

- (3) **Mitigation of Voltage Transformer Maintenance and Testing Error.** During its review to confirm the accuracy of its BES data base, BGE identified 6 BES circuits for which associated VTs, although continuously monitored, were not included in the BES database and, as a result, maintenance and testing documentation could not be confirmed. BGE has fully mitigated this finding by including the VTs at issue in the BES database and documenting that VTs are providing correct signals to protection systems at issue.
- (4) **Improvements in BGE's tracking of Maintenance and Testing of Load Serving Transformer Blocking Terminals.** During its review of the BGE BES database and maintenance records, BGE noted that blocking relays on load serving transformers were tested during preventive maintenance of the associated transmission terminals, but were not identified separately by asset and location in the maintenance management data base. To improve its tracking of these protective system components, BGE has completed work to create separate records in its BES data base as a means to ensure that testing of these components will be expressly included on work orders when regular maintenance on a transmission circuit protection system is scheduled.

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(5) Comprehensive System-wide PRC-005-1 Compliance Review. As a result of the Alleged Violations, BGE also conducted a comprehensive review of its PRC-005 compliance program. The review was conducted by a team of subject matter experts that included representatives from all internal PRC-005 stakeholders. These included engineering, compliance, field execution, work planning and scheduling, and legal. The review phase of that activity has been completed and has prompted BGE to undertake additional activities to ensure full compliance with PRC-005. The additional mitigation activities still underway are described in Section D.1(b) below.

D.1(b) Tasks and Actions Still On-Going

(1) Mitigate Potential Errors Related to Current Transformer Maintenance and Testing. During its PRC-005 compliance review, BGE noted the following weakness or potential errors in its current transformer ("CT") maintenance and testing: (a) relay system preventive maintenance job plans and work orders for 115 kV circuits, transformers, busses completed after Reliability Standard PRC-005-1 was applicable to 115 kV assets (55 jobs) did not include a documented CT testing activity even though such activity was included in the applicable work practice; (b) 88 protection system preventive maintenance job plans and work orders for 115 kV systems that were completed before Reliability Standard PRC-005-1 was applicable to 115 kV assets did not direct CT testing activity at the time the maintenance was conducted; and (c) preventive maintenance plans and work orders for load serving transformers (added to the PRC-005 scope through BES interpretations) did not include a CT testing activity.

As a result of these findings, BGE has initiated the following steps to improve its CT maintenance and testing program and to mitigate any potential for non-compliance with PRC-005-1:

- BGE is performing "go-back" testing on CT's for 55 115 kV protection systems that were covered by relay system preventive maintenance job plans and work orders which were completed after Reliability Standard PRC-005-1 was applicable to 115 kV assets but for which documentation of such testing could not be verified;
- BGE is performing "go-back" testing on CT's for 88 115 kV protection systems that were covered by preventive maintenance job plans and work orders which were completed before Reliability Standard PRC-005-1 was applicable to 115 kV assets that did not include a CT testing activity; and
- BGE is performing CT testing for 10 CTs associated with load serving transformers covered by preventive maintenance plans and work orders (added to the PRC-005 scope through BES interpretations) that did not

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include a CT testing activity. These 10 are a subset of the total number of systems added by the interpretation; their inclusion in the planned mitigation actions and the exclusion of the remainder is based on evaluated risk to the BES and is further discussed in section E.

(2) Mitigate Potential Errors Related to Battery Terminal Resistance Testing.

During its internal compliance assessment, BGE reviewed completed battery testing work orders and results and noted that one task in the job plan battery terminal resistance testing was not completed on 29 batteries. To address this issue, BGE is performing “go-back” terminal resistance testing on all the batteries in question.

(3) Revise and Improve PRC-005-1 Compliance Plan Documentation. During its internal compliance review, BGE noted that, as general matter, revisions were needed to its PRC-005 compliance plan documentation to clearly define the protection system maintenance and testing intervals and their basis. Additionally, a summary of maintenance and testing procedures for protection system components must be incorporated into the compliance plan. BGE determined that its PRC-005-1 compliance plan could be improved by incorporating NERC’s Technical Reference for Protection System Maintenance published in September 2007 to accurately reflect evolving best practices recognized by NERC after PRC-005 became enforceable. BGE is in the process of completing a redraft of its BGE’s PRC-005 compliance plan to address these issues.

(4) Third-Party Compliance Assessment. Within 30 days of completing all mitigation activities and tasks described above, BGE will conduct a review of its PRC-005 compliance program using an independent third-party consultant. This third party compliance assessment will include an evaluation and verification of BGE’s mitigation activities performed under this plan and independent assessment of BGE’s compliance with the PRC-005 standard. Any findings from the third-party compliance review that indicate potential non-compliance or errors will be promptly disclosed to RFC and mitigated.

Mitigation Plan Timeline and Milestones

- D.2 Provide the date by which full implementation of the Mitigation Plan will be, or has been, completed with respect to the Alleged or Confirmed violations identified above. State whether the Mitigation Plan has been fully implemented, and/or whether the actions necessary to assure the entity has returned to full compliance have been completed.

All mitigation activities are scheduled to be completed by December 15, 2009. Mitigation measures identified in Section D.1(a) above have been fully completed and implemented. The bulk of these activities were completed within 30 days of BGE’s submission of the self report (e.g., by April 20, 2009). The following activities listed in

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Section D.1(a) were completed on a rolling basis with final tasks finished prior to the submission of this Mitigation Plan (e.g., by July 13, 2009): verification/completion of testing on CTs associated with the six protection systems identified in the self report; mitigation of VT maintenance and testing error; and improvements in tracking of maintenance and testing of load serving transformer blocking terminals.

In addition, as a result of BGE's proactive decision to conduct a comprehensive review of its BES protective relay system maintenance and testing program, BGE has undertaken the additional actions set forth in Section D.1(b) above to improve its program and ensure full compliance with the PRC-005 standard. BGE activities and tasks in this supplemental effort will be completed according to milestones listed in Section D.3.

D.3 Enter Key Milestone Activities (with due dates) that can be used to track and indicate progress towards timely and successful completion of this Mitigation Plan.

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Key Milestone Activity (Mitigation Plan Section Number)		Proposed/Actual Completion Date* (shall not be more than 3 months apart)	
		9/1/2009	11/1/2009
Improve and Mitigate Potential Errors in Documentation and Practices Related to Current Transformer (CT) Maintenance and Testing (Section D.1(a)(1))			
1.	Additional testing of CTs related to 55 115 kV circuits, transformers, busses tested after June 2007	50%	100%
2.	Additional testing of CTs related to 88 115 kV circuits, transformers, busses tested before June 2007	50%	100%
3.	Additional testing of 10 CTs related to load serving transformers	50%	100%
Mitigate Potential Errors Related to Battery Terminal Resistance Testing. (Section D.1(a)(2))			
4.	Additional terminal resistance testing on 29 batteries	50%	100%
Revise and Improve PRC-005-1 Compliance Plan. (Section D.1(a)(3))			
5.	Revise and Improve PRC-005-1 Compliance Plan		100%
Third-Party Compliance Assessment (Section D.1(a)(4))			
6.	Complete assessment of PRC-005 using an independent third party	12/15/2009	

(*) Note: Additional violations could be determined for not completing work associated with accepted milestones.

Section E: Interim and Future Reliability Risk

Abatement of Interim BPS Reliability Risk

- E.1 While your organization is implementing this Mitigation Plan the reliability of the Bulk Power System (BPS) may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are, or may be, known or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take to mitigate this increased risk to the reliability of the BPS. Additional detailed information may be provided as an attachment.

There are no identified risks affecting 230 or 500 kV facilities.

Until all planned CT testing is complete for 115 kV circuits, there is a small elevated risk for misoperation or delayed clearing of some 115 kV BES facilities. The risk is inherently mitigated by redundant CT's and redundant protection systems.

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Until all planned CT testing is complete for load serving transformers, there is a small elevated risk that a transformer fault could evolve into a fault on a 115 kV BES circuit. The risk is mitigated by redundant (fault pressure) protection which is not dependent on CT's. The risk only applies to a small subset of the total population of BES load-serving transformers (10) which do not use differential protection. CT failure on a load-serving transformer differential system would be self evident and manifest itself by tripping the transformer during high load or distribution faults, presenting no risk to the BES.

Prevention of Future BPS Reliability Risk

- E.2 Describe how successful completion of this Mitigation Plan by your organization will prevent or minimize the probability that the reliability of the BPS incurs further risk of similar violations in the future. Additional detailed information may be provided as an attachment.

This Mitigation Plan includes a complete revision and update of BGE's PRC-005-1 Compliance Plan that will expressly incorporate the NERC System Protection and Control Task Force report on Protection System Maintenance, dated September 2007. The revision will reinforce BGE's PRC-005 compliance program, including specific measures to periodically review data integrity for PRC-005 assets in the maintenance management data base. Moreover, BGE's decision to conduct another internal compliance review using an independent third party consultant following the completion of the mitigation steps outlined in Section D.1 will ensure that its program is compliant and protects the BPS moving forward.

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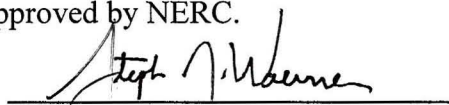
RELIABILITY *FIRST*

Section F: Authorization

An authorized individual must sign and date this Mitigation Plan Submittal Form. By doing so, this individual, on behalf of your organization:

- a) Submits this Mitigation Plan for acceptance by Reliability*First* and approval by NERC, and
- b) If applicable, certifies that this Mitigation Plan was completed on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- c) Acknowledges:
 1. I am Senior Vice-President Asset Management Services of Baltimore Gas and Electric Company.
 2. I am qualified to sign this Mitigation Plan on behalf of Baltimore Gas and Electric Company.
 3. I have read and am familiar with the contents of this Mitigation Plan.
 4. Baltimore Gas and Electric Company agrees to comply with, this Mitigation Plan, including the timetable completion date, as accepted by Reliability*First* and approved by NERC.

Authorized Individual Signature



Name (Print):

Stephen J. Woerner

Title:

Senior Vice-President, Gas & Electric Operations and Planning

Date:

August 5, 2009

Section G: Regional Entity Contact

Please direct completed forms or any questions regarding completion of this form to the Reliability*First* Compliance e-mail address mitigationplan@rfirst.org.

Please indicate the company name and reference the NERC Violation ID # (if known) in the subject line of the e-mail. Additionally, any Reliability*First* Compliance Staff member is available for questions regarding the use of this form. Please see the contact list posted on the Reliability*First* Compliance web page.

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Attachment A – Compliance Notices & Mitigation Plan Requirements

- I. Section 6.2 of the CMEP¹ sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:
 - (1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan.
 - (2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
 - (3) The cause of the Alleged or Confirmed Violation(s).
 - (4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
 - (5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).
 - (6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
 - (7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
 - (8) Key implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined for not completing work associated with accepted milestones.
 - (9) Any other information deemed necessary or appropriate.
 - (10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self-Certification or Self Reporting submittals.
- II. This submittal form must be used to provide a required Mitigation Plan for review and acceptance by ReliabilityFirst and approval by NERC.
- III. This Mitigation Plan is submitted to ReliabilityFirst and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.
- IV. This Mitigation Plan Submittal Form may be used to address one or more related Alleged or Confirmed violations of one Reliability Standard. A separate

¹ "Compliance Monitoring and Enforcement Program" of the ReliabilityFirst Corporation;" a copy of the current version approved by the Federal Energy Regulatory Commission is posted on the ReliabilityFirst website.

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mitigation plan is required to address Alleged or Confirmed violations with respect to each additional Reliability Standard, as applicable.

- V. If the Mitigation Plan is accepted by ReliabilityFirst and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission in accordance with applicable Commission rules, regulations and orders.
- VI. ReliabilityFirst or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.
- VII. Remedial action directives also may be issued as necessary to ensure reliability of the BPS.

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DOCUMENT CONTROL

Title: Mitigation Plan Submittal Form
Issue: Version 2.0
Date: 11 July 2008
Distribution: Public
Filename: ReliabilityFirst Mitigation Plan Submittal Form - Ver 2.DOC
Control: Reissue as complete document only

DOCUMENT APPROVAL

Prepared By	Approved By	Approval Signature	Date
Robert K. Wargo Senior Consultant Compliance	Raymond J. Palmieri Vice President and Director Compliance	<i>Raymond J. Palmieri</i>	1/2/08

DOCUMENT CHANGE/REVISION HISTORY

Version	Prepared By	Summary of Changes	Date
1.0	Robert K. Wargo	Original Issue – Replaces “Proposed Mitigation Plan” Form	1/2/08
2.0	Tony Purgar	Revised email address from compliance@rfirst.org to mitigationplan@rfirst.org	7/11/08

Attachment d

Certification of Mitigation Plan Completion

Submitted December 18, 2009



Certification of Mitigation Plan Completion

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for ReliabilityFirst Corporation to verify completion of the Mitigation Plan. ReliabilityFirst Corporation may request additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Registered Entity Name: Baltimore Gas and Electric Company

NERC Registry ID: NCR00689

Date of Submittal of Certification: December 18, 2009

NERC Violation ID No(s): RFC200900123

Reliability Standard and the Requirement(s) of which a violation was mitigated: PRC-005-1 R2

Date Mitigation Plan was scheduled to be completed per accepted Mitigation Plan: December 15, 2009

Date Mitigation Plan was actually completed: December 15, 2009

Additional Comments (or List of Documents Attached): Evidence provided on accompanying CD


I certify that the Mitigation Plan for the above named violation has been completed on the date shown above and that all submitted information is complete and correct to the best of my knowledge.

Name: A. Christopher Burton

Title: Senior Vice President, BGE Gas and Electric Operations and Planning

Email: acburton@constellation.com

Phone: 410-470-5280

Authorized Signature 

Date December 17, 2009



Please direct completed forms or any questions regarding completion of this form to the ReliabilityFirst Compliance e-mail address mitigationplan@rfirst.org.

Please indicate the company name and reference the NERC Violation ID # (if known) in the subject line of the e-mail. Additionally, any ReliabilityFirst Compliance Staff member is available for questions regarding the use of this form. Please see the contact list posted on the ReliabilityFirst Compliance web page.



DOCUMENT CONTROL

Title: Certification of Mitigation Plan Completion
Issue: Version 1
Date: 5 January 2008
Distribution: Public
Filename: Certification of a Completed Mitigation Plan_Ver1.doc
Control: Reissue as complete document only

DOCUMENT APPROVAL

Prepared By	Approved By	Approval Signature	Date
Robert K. Wargo Manager of Compliance Enforcement	Raymond J. Palmieri Vice President and Director Compliance	<i>Raymond J. Palmieri</i>	1/5/2009

DOCUMENT CHANGE/REVISION HISTORY

Version	Prepared By	Summary of Changes	Date
1.0	Robert K. Wargo	Original Issue	1/5/2009

Attachment e

Summary and Review of Mitigation Plan Completion

Dated January 28, 2010

January 28, 2010

Summary and Review of Evidence of Mitigation Plan Completion

NERC Violation ID #:	RFC200900123
NERC Plan ID:	MIT-07-1924
Registered Entity;	Baltimore Gas & Electric
NERC Registry ID:	NCR00689
Standard:	PRC-005-1
Requirement:	2
Status:	Compliant

Baltimore Gas & Electric submitted a Self Report of noncompliance with NERC Reliability Standard PRC-005-1, Requirement 2, on March 19, 2009. Baltimore Gas & Electric submitted a Proposed Mitigation Plan to ReliabilityFirst on July 13, 2009, whereby stating Baltimore Gas & Electric would complete all mitigating actions on December 15, 2009. This Mitigation Plan, designated MIT-07-1924, was accepted by ReliabilityFirst on August 7, 2009 and approved by NERC on September 10, 2009.

Review Process:

On December 18, 2009 Baltimore Gas & Electric certified that Mitigation Plan for PRC-005-1, Requirement 2 was completed as of December 15, 2009. ReliabilityFirst requested and received evidence of completion for actions taken by Baltimore Gas & Electric as specified in the Mitigation Plan. ReliabilityFirst performed an in depth review of the information provided to verify that all actions specified in the Mitigation Plan (MP) were successfully completed.

PRC-005-1, Requirement 2 states, “Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its Regional Reliability Organization on request (within 30 calendar days). The documentation of the program implementation shall include:

R2.1. Evidence Protection System devices were maintained and tested within the defined intervals.

R2.2. Date each Protection System device was last tested/maintained.”

Evidence Submitted:

Requirement 2:

MP Task D.1 (a) (1)

Substation and System Protection Work Order and test forms for six Protection Systems that were omitted from the data base used to manage maintenance and testing.

Summary and Review of Mitigation Plan Completion
Baltimore Gas & Electric
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(The above were submitted December 17, 2009) They provide documentation that includes the date on which the six Protection Systems were last tested (R2.2).

MP Task D.1 (a) (3)

Substation and System Protection Work Orders and test results for six Voltage Transformers (VTs) on BES Circuits that were omitted from the data base used to manage maintenance and testing.

(The above were submitted December 17, 2009) They provide documentation that includes the date on which the six Protection Systems were last tested (R2.2).

MP Task D.1 (b) (1)

MITIGATION PLAN TASK D.1 (b) (1) – DETAILED WORK ORDER RECORDS

(The above was submitted December 17, 2009) It identifies the 143 Current Transformers (CTs) that were not tested within defined intervals.

Substation and System Protection Work Orders and test forms for the above CTs

(The above were submitted December 17, 2009) They provide documentation that includes the dates on which the 143 CTs were last tested (R2.2). The MP included 153 CTs. It was later determined that of the 153 CTs, three were duplicates, four were tested within the proper interval and three had been retired.

MP Task D.1 (b) (2)

Battery Assurance Program BGE Detailed Inspection Reports

(The above was submitted December 17, 2009)

They provide documentation that includes the dates on which a specific testing task was performed on 27 batteries (R2.2). The MP included 29 batteries. It was later determined that the specific testing task identified in the MP was not applicable to two of the 29 batteries because they are a different type of battery.

Additional Discoveries - In the course of examining system data, test results and work order completion, one administrative error and one omission from the data base used to manage maintenance and testing were discovered.

Substation and System Protection Work Orders and test results for two additional protection systems (The above were submitted December 17, 2009) They provide documentation that includes the dates on which the two Protection Systems were last tested (R2.2). These two Protection Systems were not previously included in the MP due to the administrative error and omission cited above.

The combination of all of the above also:

- a. provides evidence that the last test dates are within the defined testing interval (R2.1.), i.e., no subsequent tests have been required,

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- b. provides evidence that the work was completed by the Milestone dates of September 1, 2009 and November 1, 2009, where applicable, and by the final MP completion date of December 15, 2009, where not otherwise indicated.
- c. addresses the stated violation, and
- d. brings Baltimore Gas & Electric into Compliance with PRC-005-1 R2

Mitigation Plan Completion

The approved Mitigation Plan included other tasks that either helped bring Baltimore Gas & Electric (BGE) into compliance with PRC-005-1 or that will protect the BES in the future.

Tasks completed prior to MP submittal

MP Task D.1 (a) (1)

Mitigation and Improvements in the Maintenance and Testing of the Six Protection Systems at Issue. BGE reviewed and revised its BES database used to track maintenance and testing to ensure the six protection systems and related devices are properly identified.

MP Task D.1 (a) (2)

Confirmation of Accuracy of BGE's BES Data Base Used to Track PRC-005 Maintenance and Testing. To ensure errors are not repeated, BGE ordered a comprehensive review of its transmission system drawings and protection device maintenance records by subject matter experts. These experts systematically compared BGE's protective relay asset maintenance records against BGE's BES database and system diagrams.

MP Task D.1 (a) (3)

Mitigation of Voltage Transformer Maintenance and Testing Error. BGE identified six BES circuits for which associated VTs were not included in the BES database. BGE has fully mitigated this finding by including the VTs at issue in the BES database.

MP Task D.1 (a) (4)

Improvements in BGE's tracking of Maintenance and Testing of Load Serving Transformer Blocking Terminals. To improve tracking BGE has completed work to create separate records in its BES data base to ensure that testing will be expressly included on work orders.

MP Task D.1 (a) (5)

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Comprehensive System-wide PRC-005-1 Compliance Review.

BGE conducted a comprehensive review of its PRC-005 compliance program. The review was conducted by a team of subject matter experts from engineering, compliance, field execution, work planning and scheduling, and legal. The review phase of that activity has been completed.

Evidence Submitted:

“Transmission Relay PM Work Order Report with Tasks” email dated March 20, 2009 with attachment “2007-2009 XMSN Relay WO Rreport with Task Details.xlsx”
(The above were submitted January 27, 2010) These documents include revisions to BGE’s BES database for six Protection Systems.

“RE: VT assets for RFC flagging: 230 kV circuits (email 1) SEE NOTE FOR NORTHWEST” email dated March 18, 2009, “RE: VT assets for RFC flagging: 230 kV circuits (email 2) SEE NOTE FOR RIVERSIDE” email dated March 19, 2009 and
“RE: Westport 115 kV VTs – NOTES” email dated March 19, 2009
(The above were submitted January 20, 2010)

“RE: low-side blocking circuits” email dated June 16, 2009
(The above was submitted December 17, 2009)
These documents indicate resolution of Load Serving Transformer Blocking Circuit and VT data issues as part of BGE’s comprehensive review.

Letter from BGE to ReliabilityFirst dated and submitted January 27, 2010.
This document indicates completion of the comprehensive review of drawings and maintenance records on or about June 19, 2009 and completion of the comprehensive review of BGE’s PRC-005 compliance program prior to MP submittal on July 13, 2009.

“Report of ALL RFC PMs” email dated July 2, 2009 with attachment “Updated RFC PM List_7-1-2009.xlsx”
(The above were submitted January 27, 2010) These documents include revisions to BGE BES database for VTs associated with six BES circuits.

“new assets in Maximo” email dated June, 18, 2009
(The above was submitted December 17, 2009) A database screenshot in this email shows database records that were added for transformer blocking terminals.

All of the above provide evidence that MP Tasks D.1 (a) (1-5) were completed by the July 13, 2009 MP submittal date as indicated in the Mitigation Plan.

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Tasks with Milestones

MP Task D.1 (b) (3) **Revise and Improve PRC-005-1 Compliance Plan Documentation.** BGE determined that its PRC-005-1 compliance plan could be improved by incorporating NERC's Technical Reference for Protection System Maintenance published in September 2007 to accurately reflect evolving best practices recognized by NERC after PRC-005 became enforceable. BGE is in the process of completing a redraft of its BGE's PRC-005 compliance plan to address these issues.

MP Task D.1 (b) (4) **Third-Party Compliance Assessment.** BGE will conduct a review of its PRC-005 compliance program using an independent third-party consultant. This third party compliance assessment will include an evaluation and verification of BGE's mitigation activities performed under this plan and independent assessment of BGE's compliance with the PRC-005 standard.

Evidence Submitted:

On December 17, 2009, BGE submitted the following documents as evidence of the completion for Tasks D.1 (b) (3-4) of the Mitigation Plan:

BGE NERC Reliability Standards Compliance Program – BGE PRC-005-1 Reliability Standards Compliance Program – Creation Date: November 11, 2009

BGE PRC-005 Protection System Audit – Altran Solutions – Approved December 15, 2009

Utility Compliance Services Inc. – Compliance Mitigation Issues Review for Baltimore Gas and Electric Company – December 15, 2009


The above documents specifically address the issues in the MP Tasks. Issuing these documents completes MP Task D.1 (b) (3) and (4) by the Milestone dates of November 1, 2009 and December 15, 2009, respectively.

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Review Results:

ReliabilityFirst Corporation reviewed the evidence the Baltimore Gas & Electric submitted in support of its Certification of Completion. On January 28, 2010 ReliabilityFirst verified that the Mitigation Plan was completed in accordance with its terms and has therefore deemed that Baltimore Gas & Electric has successfully mitigate the alleged violation of the aforementioned NERC Reliability Standard.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert K. Wargo", with a long horizontal flourish extending to the right.

Robert K. Wargo
Manager of Compliance Enforcement
ReliabilityFirst Corporation

Attachment b

Disposition Document dated June 10, 2010

DISPOSITION OF VIOLATION¹**June 10, 2010**NERC TRACKING
NO.**RFC200900123**REGIONAL ENTITY TRACKING
NO.**RFC200900123**

NOC#

NOC-535

REGISTERED ENTITY

Baltimore Gas & Electric Company (BGE)

NERC REGISTRY ID

NCR00689

REGIONAL ENTITY

ReliabilityFirst Corporation (ReliabilityFirst)**I. REGISTRATION INFORMATION**

ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS:

BA	DP	GO	GOP	IA	LSE	PA	PSE	RC	RP	RSG	TO	TOP	TP	TSP
	X				X						X			
	5/30/07				5/30/07		5/30/07				5/30/07			

* VIOLATION APPLIES TO SHADED FUNCTIONS

DESCRIPTION OF THE REGISTERED ENTITY

BGE serves more than 1.2 million business and residential electric customers and more than 630,000 gas customers in an economically diverse, 2,300-square-mile area encompassing Baltimore City and all or part of 10 Central Maryland counties. On July 1, 2000, BGE moved from being a vertically integrated utility that both produces and delivers electricity to one that delivers electricity produced by others.

II. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
PRC-005-1	2	2.1, 2.2	High²	Lower

¹ For purposes of this document and attachments hereto, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

² PRC-005-1 R2 has a "Lower" VRF; R2.1 and R2.2 each have a "High" VRF. During a final review of the standards subsequent to the March 23, 2007 filing of the Version 1 VRFs, NERC identified that some standards requirements were missing VRFs; one of these include PRC-005-1 R2.1. On May 4, 2007, NERC assigned PRC-005 R2.1 a "High" VRF. In the Commission's June 26, 2007 Order on Violation

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

The purpose statement of PRC-005-1 is to ensure that all transmission and generation Protection Systems³ affecting the reliability of the Bulk Electric System (BES) are maintained and tested.

PRC-005-1 R2 requires that:

Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its Regional [Entity] on request (within 30 calendar days). The documentation of the program implementation shall include:

R2.1. Evidence Protection System devices were maintained and tested within the defined intervals.

R2.2. Date each Protection System device was last tested/maintained.

VIOLATION DESCRIPTION

On May 9, 2007, ReliabilityFirst clarified the definition of the Bulk Electric System (BES) in its region and requested all Registered Entities within its region to submit a transition plan identifying: (a) the action items required to bring their respective compliance programs into compliance with all NERC Reliability Standards to account for the BES definition clarification; and (b) the time table to implement and complete these action items.

On July 24, 2007, BGE filed with ReliabilityFirst its Transition Plan which it completed on June 1, 2008. BGE's Transition Plan was necessary for BGE to incorporate, *inter alia*, 115 kV-associated Protection Systems that it previously excluded from its Protection and Testing Maintenance Program. While the Transition Plan extended BGE's compliance program to include 132 additional Protection Systems in its Protection and Testing Maintenance Program, BGE failed to include six 115 kV-associated Protection Systems⁴ and could not provide evidence that these Protection Systems were being maintained and tested.

On March 19, 2009, BGE reported to ReliabilityFirst, via ReliabilityFirst's Compliance Monitoring and Enforcement Program Violation Self-Reporting Form, that its internal audit process identified three transmission facilities with a combined total of six 115 kV-associated Protection Systems that lacked

Risk Factors, the Commission approved the PRC-005-1 R2.1 "High" VRF as filed. Therefore, the "High" VRF was in effect from June 26, 2007.

³ *The NERC Glossary of Terms Used in Reliability Standards*, updated April 20, 2009, defines Protection System as "Protective relays, associated communication systems, voltage and current sensing devices, station batteries and DC control circuitry."

⁴ ReliabilityFirst considered that the missing Protection Systems could constitute a violation of PRC-005-1 R1, but determined that a violation of PRC-005-1 R2 effectively captured the non-compliance and the associated mitigation of both issues.

documentation of compliance with the maintenance and testing requirements. First,⁵ BGE failed to include three 115 kV-associated Protection Systems in its Maintenance Management System Database as a result of its misunderstanding that radial, load-serving transformers tapped from 115 kV circuits were not included within the meaning of the BES. Second,⁶ a BGE administrative error caused BGE to exclude three additional 115 kV-associated Protection Systems.

The six Protection Systems consisted of: (a) three bus devices; (b) two transformer differential relays for two transformers; and (c) one Protection System comprised of relays and transformers on a load-serving BPS circuit serving one industrial customer rated at 115 kV.

In September 2009, BGE verbally disclosed to ReliabilityFirst that, during its Mitigation Plan completion process, BGE discovered two additional Protection Systems that, although included within the Transition Plan, lacked documentation of compliance with the maintenance and testing requirements. BGE submitted to ReliabilityFirst its Mitigation Status Report to memorialize this disclosure.

Of the two additional Protection Systems, BGE discovered one Protection System for a 115 kV tie between buses, including relays and current transformer (CT) and direct current (DC) wiring, which was not included in BGE's Maintenance Management System Database and was overdue for testing, as the last recorded testing was on October 21, 1991. The other missed Protection System was a 115 kV Protection System, consisting of relays and CT and DC wiring, that was incorrectly reported as complete for maintenance and testing despite the fact that no work was performed.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

The violations did not pose a serious or substantial risk to the BPS because all eight Protection Systems at issue had redundant Protection Systems present at the time of the violation. The protection is redundant because the backup system can detect all faults that the primary system would detect. BGE tested and determined that this redundant protection was fully operational at all relevant times. Furthermore, BGE resolved the risk of dropping distribution load due to the false operation of differential relays by temporarily isolating the faulty relays on the Protection Systems on March 7, 2009 and replacing the faulty relays on March 9 and 10, 2009.

IS THERE A SETTLEMENT AGREEMENT YES ☒ NO ☐

⁵ BGE became aware of its misunderstanding, on or about July 7, 2008, after reviewing and responding to various correspondences from ReliabilityFirst, which ultimately confirmed that radial, load serving transformers tapped from 115 kV circuits are included within the meaning of the BES.

⁶ BGE became aware that it failed to include these three Protection Systems on February 2, 2009, during an internal audit conducted by a third party.

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY)	YES	<input checked="" type="checkbox"/>
ADMITS TO IT	YES	<input type="checkbox"/>
DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS)	YES	<input type="checkbox"/>

WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY

ACCEPTS IT/ DOES NOT CONTEST IT	YES	<input checked="" type="checkbox"/>
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III. DISCOVERY INFORMATION

METHOD OF DISCOVERY

SELF-REPORT	<input checked="" type="checkbox"/>
SELF-CERTIFICATION	<input type="checkbox"/>
COMPLIANCE AUDIT	<input type="checkbox"/>
COMPLIANCE VIOLATION INVESTIGATION	<input type="checkbox"/>
SPOT CHECK	<input type="checkbox"/>
COMPLAINT	<input type="checkbox"/>
PERIODIC DATA SUBMITTAL	<input type="checkbox"/>
EXCEPTION REPORTING	<input type="checkbox"/>

DURATION DATE(S) **June 18, 2007 (mandatory and enforceable date) through November 4, 2009 (when BGE finished testing all of its Protection Systems). The Mitigation Plan was completed on December 15, 2009.**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **March 19, 2009**

IS THE VIOLATION STILL OCCURRING

YES ☐ NO ☒

IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
PRE TO POST JUNE 18, 2007 VIOLATION	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>

IV. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO. **MIT-07-1924**

DATE SUBMITTED TO REGIONAL ENTITY **7/13/2009⁷**

⁷ BGE's July 13, 2009 Mitigation Plan was resubmitted on August 5, 2009 to ReliabilityFirst after BGE made administrative changes. Therefore, the Mitigation Plan has a signature date of August 5, 2009.

DATE ACCEPTED BY REGIONAL ENTITY	8/07/2009
DATE APPROVED BY NERC	9/10/2009
DATE PROVIDED TO FERC	9/10/2009

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

NONE

MITIGATION PLAN COMPLETED YES ☒ NO ☐

EXPECTED COMPLETION DATE	12/15/2009
EXTENSIONS GRANTED	NONE
ACTUAL COMPLETION DATE	12/15/2009

DATE OF CERTIFICATION LETTER **12/18/2009 (signed on 12/17/2009)**
 CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **12/15/2009⁸**

DATE OF VERIFICATION LETTER	1/28/2010
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF	12/15/2009

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

ACTIONS COMPLETED

1. Mitigation and Improvements in the Maintenance and Testing of the Six Protection Systems at Issue.

Upon discovery of the violations, BGE scheduled the necessary outages and executed the required maintenance and testing on the six protection systems identified in the internal compliance audit. BGE also reviewed and revised its BPS database used to track maintenance and testing to ensure the six protection systems and related devices are properly identified.

2. Confirmation of Accuracy of BGE's BES Database Used to Track PRC-005 Maintenance and Testing.

To ensure the errors that led to the violations are not repeated, BGE ordered a comprehensive review of its transmission system drawings and protection device maintenance records by subject matter experts. These experts systematically compared BGE's protective relay asset maintenance records against BGE's BPS database and system diagrams. This review has been completed and has confirmed, with two minor exceptions, that all PRC-005-1 protection systems are identified in the company's BPS database used to manage and track required

ReliabilityFirst honored the initial submittal date of July 13, 2009 because the changes to the Mitigation Plan were minor.

⁸ The Settlement Agreement (P 28) has a typographical error stating that the Mitigation Plan was completed on December 15, 1009.

maintenance and testing. The two exceptions identified involve: (i) a limited number of voltage transformers (VTs) missing from the database, and (ii) and load serving transformer blocking terminals that were not separately identified in the database. As set forth in the following two paragraphs, BGE has mitigated both of these issues.

3. Mitigation of Voltage Transformer Maintenance and Testing Error.

During its review to confirm the accuracy of its BPS database, BGE identified six BPS circuits for which associated VTs, although continuously monitored, were not included in the BPS database and, as a result, maintenance and testing documentation could not be confirmed. BGE has mitigated this finding by including the VTs at issue in the BPS database and documenting that VTs are providing correct signals to protection systems at issue.

4. Improvements in BGE's tracking of Maintenance and Testing of Load Serving Transformer Blocking Terminals.

During its review of the BGE BPS database and maintenance records, BGE noted that blocking relays on load serving transformers were tested during preventive maintenance of the associated transmission terminals, but were not identified separately by asset and location in the maintenance management data base. To improve its tracking of these protective system components, BGE has completed work to create separate records in its BPS database as a means to ensure that testing of these components will be expressly included on work orders when regular maintenance on a transmission circuit protection system is scheduled.

5. Comprehensive System-wide PRC-005-1 Compliance Review.

As a result of the violations, BGE also conducted a comprehensive review of its PRC-005 compliance program. The review was conducted by a team of subject matter experts that included representatives from all internal PRC-005 stakeholders. These included engineering, compliance, field execution, work planning and scheduling, and legal. The review phase of that activity has been completed and has prompted BGE to undertake additional activities to ensure full compliance with PRC-005. The additional mitigation activities still underway are described below.

TASKS AND ACTIONS MITIGATION PLAN REQUIRED BGE TO PERFORM

1. Mitigate Potential Errors Related to Current Transformer Maintenance and Testing.

During its PRC-005 compliance review, BGE noted the following weakness or potential errors in its CT maintenance and testing: (a) relay system preventive maintenance job plans and work orders for 115 kV circuits, transformers, busses completed after Reliability Standard PRC-005-1 was applicable to 115 kV assets (55 jobs) did not include a documented CT testing activity even though such activity was included in the applicable work practice; (b) 88 protection system preventive maintenance job plans and work orders for 115 kV systems that were

completed before Reliability Standard PRC-005-1 was applicable to 115 kV assets did not direct CT testing activity at the time the maintenance was conducted; and (c) preventive maintenance plans and work orders for load serving transformers (added to the PRC-005 scope through BPS interpretations) did not include a CT testing activity. As a result of these findings, BGE was required to initiate the following steps to improve its CT maintenance and testing program and to mitigate any potential for noncompliance with PRC-005-1:

- Perform “go-back” testing on CTs for 55 115 kV protection systems that were covered by relay system preventive maintenance job plans and work orders which were completed after Reliability Standard PRC-005-1 was applicable to 115 kV assets but for which documentation of such testing could not be verified;
- Perform “go-back” testing on CTs for 88 115 kV protection systems that were covered by preventive maintenance job plans and work orders which were completed before Reliability Standard PRC-005-1 was applicable to 115 kV assets that did not include a CT testing activity; and
- Perform CT testing for 10 CTs associated with load serving transformers covered by preventive maintenance plans and work orders (added to the PRC-005 scope through BPS interpretations) that did not include a CT testing activity. These 10 are a subset of the total number of systems added by the interpretation; their inclusion in the planned mitigation actions and the exclusion of the remainder is based on evaluated risk to the BPS.

2. **Mitigate Potential Errors Related to Battery Terminal Resistance Testing.**
During its internal compliance assessment, BGE reviewed completed battery testing work orders and results and noted that one task in the job plan battery terminal resistance testing was not completed on 29 batteries. To address this issue, BGE is required to perform “go-back” terminal resistance testing on all the batteries in question.
3. **Revise and Improve PRC-005-1 Compliance Plan Documentation.**
During its internal compliance review, BGE noted that, as a general matter, revisions were needed to its PRC-005 compliance plan documentation to clearly define the protection system maintenance and testing intervals and their basis. Additionally, a summary of maintenance and testing procedures for protection system components must be incorporated into the compliance plan. BGE determined that its PRC-005-1 compliance plan could be improved by incorporating NERC’s Technical Reference for Protection System Maintenance published in September 2007 to accurately reflect evolving best practices recognized by NERC after PRC- 005 became enforceable. BGE is required to prepare a redraft of its BGE’s PRC-005 compliance plan to address the above described issues.
4. **Third-Party Compliance Assessment.**

Within 30 days of completing all mitigation activities and tasks described above, BGE is required to conduct a review of its PRC-005 compliance program using an independent third-party consultant. This third party compliance assessment will include an evaluation and verification of BGE's mitigation activities performed under this plan and independent assessment of BGE's compliance with the PRC-005 standard. Any findings from the third-party compliance review that indicate potential non-compliance or errors will be promptly disclosed to RFC and mitigated.

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- 1. Substation and System Protection Work Order and test forms for six Protection Systems that were omitted from the database used to manage maintenance and testing submitted December 17, 2009. BGE provided documentation that includes the date on which the six Protection Systems were last tested (R2.2).**
- 2. Substation and System Protection Work Orders and test results for six Voltage Transformers (VTs) on BPS Circuits that were omitted from the database used to manage maintenance and testing submitted December 17, 2009. BGE provided documentation that includes the date on which the six Protection Systems were last tested (R2.2).**
- 3. Detailed Work Order Records submitted December 17, 2009. These identify the 143 CTs that were not tested within defined intervals. Substation and System Protection Work Orders and test forms for the above CTs submitted December 17, 2009. BGE provided documentation that includes the dates on which the 143 CTs were last tested (R2.2). The Mitigation Plan included 153 CTs. It was later determined that of the 153 CTs, three were duplicates, four were tested within the proper interval and three had been retired.**
- 4. Battery Assurance Program BGE Detailed Inspection Reports submitted December 17, 2009. BGE provided documentation that includes the dates on which a specific testing task was performed on 27 batteries (R2.2). The Mitigation Plan included 29 batteries. It was later determined that the specific testing task identified in the Mitigation Plan was not applicable to two of the 29 batteries because they are a different type of battery. Additional Discoveries - In the course of examining system data, test results and work order completion, one administrative error and one omission from the data base used to manage maintenance and testing were discovered.**
- 5. Substation and System Protection Work Orders and test results for two additional protection systems (The above were submitted December 17, 2009). BGE provided documentation that includes the dates on which the two Protection Systems were last tested (R2.2). These two Protection Systems**

were not previously included in the Mitigation Plan due to the administrative error and omission cited above.

Reliability First noted that a combination of all of the above:

1. provided evidence that the last test dates were within the defined testing interval (R2.1.); *i.e.*, no subsequent tests have been required;
2. provided evidence that the work was completed by the milestone dates of September 1, 2009 and November 1, 2009, where applicable, and by the final Mitigation Plan completion date of December 15, 2009, where not otherwise indicated;
3. addressed the stated violation; and
4. brought BGE into compliance with PRC-005-1 R2.

V. PENALTY INFORMATION

TOTAL ASSESSED PENALTY OR SANCTION OF **TEN THOUSAND DOLLARS (10,000)** FOR **ONE VIOLATION OF RELIABILITY STANDARDS.**

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

PRIOR VIOLATIONS OF ANY OF THE INSTANT RELIABILITY STANDARD(S) OR REQUIREMENT(S) THEREUNDER

YES ☐ NO ☒

LIST ANY CONFIRMED OR SETTLED VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

PRIOR VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR REQUIREMENTS THEREUNDER

YES ☒ NO ☐

LIST ANY PRIOR CONFIRMED OR SETTLED VIOLATIONS AND STATUS

A Notice of Confirmed Violation covering violations of FAC-003-1 R2 for BGE (NOC-055) was approved by the BOTCC on May 6, 2008 and filed with FERC on June 4, 2008. On July 3, 2008, FERC issued an order stating it would not engage in further review of the Notice of Penalty.

On October 14, 2009, NERC submitted an Omnibus filing which addressed violations for certain registered entities including one (1) violation of FAC-009-1 R1 for BGE (NOC-369). On November 13, 2009, FERC issued an order stating it would not engage in further review of the violations addressed in the Omnibus Notice of Penalty.

ADDITIONAL COMMENTS
NONE

(2) THE DEGREE AND QUALITY OF COOPERATION BY THE REGISTERED ENTITY (IF THE RESPONSE TO FULL COOPERATION IS “NO,” THE ABBREVIATED NOP FORM MAY NOT BE USED.)

FULL COOPERATION YES ☒ NO ☐
 IF NO, EXPLAIN

(3) THE PRESENCE AND QUALITY OF THE REGISTERED ENTITY’S COMPLIANCE PROGRAM

IS THERE A DOCUMENTED COMPLIANCE PROGRAM
 YES ☒ NO ☐
 EXPLAIN

The BGE compliance program is primarily focused in BGE’s Electric System Reliability Standards Team and the Reliability and Compliance Assurance Unit. BGE distributes the responsibility of its compliance program responsibility among four divisions headed by four Senior Vice Presidents, which include BGE’s divisions of Electric Business Operations and Planning, Asset Management Services, Integrated Field Service, and Strategy and Regulatory Affairs. BGE assigns each applicable reliability standard to an individual for overall responsibility for compliance with the standard. Each requirement within the standard is assigned to a Standard Owner, an individual or individuals, to ensure compliance with each specific requirement. The Standard Owner is responsible for developing and documenting all compliance programs and documents to ensure compliance with the Standards.

BGE’s Reliability and Compliance Assurance Unit conducts regular training of Standard Owners responsible for implementing the compliance programs for standards through regular meetings with the Electric System Reliability Standards Team. BGE is also currently developing a training program for all of its employees to increase awareness of the need for compliance with the NERC Reliability Standards.

EXPLAIN SENIOR MANAGEMENT’S ROLE AND INVOLVEMENT WITH RESPECT TO THE REGISTERED ENTITY’S COMPLIANCE PROGRAM, INCLUDING WHETHER SENIOR MANAGEMENT TAKES ACTIONS THAT SUPPORT THE COMPLIANCE PROGRAM, SUCH AS TRAINING, COMPLIANCE AS A FACTOR IN EMPLOYEE EVALUATIONS, OR OTHERWISE.

BGE distributes the responsibility of its compliance program responsibility among four divisions headed by four Senior Vice Presidents.

(4) ANY ATTEMPT BY THE REGISTERED ENTITY TO CONCEAL THE VIOLATION(S) OR INFORMATION NEEDED TO REVIEW, EVALUATE OR INVESTIGATE THE VIOLATION.

YES ☐ NO ☒
IF YES, EXPLAIN

(5) ANY EVIDENCE THE VIOLATION(S) WERE INTENTIONAL (IF THE RESPONSE IS "YES," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

YES ☐ NO ☒
IF YES, EXPLAIN

(6) ANY OTHER MITIGATING FACTORS FOR CONSIDERATION

YES ☐ NO ☒
IF YES, EXPLAIN

(7) ANY OTHER AGGRAVATING FACTORS FOR CONSIDERATION

YES ☐ NO ☒
IF YES, EXPLAIN

(8) ANY OTHER EXTENUATING CIRCUMSTANCES

YES ☐ NO ☒
IF YES, EXPLAIN

(9) ADDITIONAL SUPPORT FOR ASSESSED PENALTY OR SANCTION

EXHIBITS (SEE ATTACHMENTS TO NOTICE OF PENALTY):

SOURCE DOCUMENT

BGE's Self-Report dated March 19, 2009

MITIGATION PLAN

BGE's Mitigation Plan submitted July 13, 2009

BGE's Status Update submitted December 2, 2009

CERTIFICATION BY REGISTERED ENTITY

BGE Certification of Mitigation Plan Completion dated December 18, 2008

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR
SANCTION ISSUED

DATE: OR N/A ☒

SETTLEMENT DISCUSSIONS COMMENCED

DATE: **5/1/2009** OR N/A ☐

NOTICE OF CONFIRMED VIOLATION ISSUED

DATE: OR N/A ☒

SUPPLEMENTAL RECORD INFORMATION

DATE(S) OR N/A ☒

REGISTERED ENTITY RESPONSE CONTESTED

FINDINGS ☐ PENALTY ☐ BOTH ☐ NO CONTEST ☒

HEARING REQUESTED

YES ☐ NO ☒

DATE

OUTCOME

APPEAL REQUESTED

Attachment c

Notice of Filing

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Baltimore Gas & Electric Company

Docket No. NP10-____-000

NOTICE OF FILING
July 30, 2010

Take notice that on July 30, 2010, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding Baltimore Gas & Electric Company in the Reliability *First* Corporation region.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,
Secretary