



NORTH AMERICAN ELECTRIC  
RELIABILITY CORPORATION

September 30, 2010

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

**Re: NERC Abbreviated Notice of Penalty regarding Carr Street Generating Station, LP,  
FERC Docket No. NP10-\_\_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding Carr Street Generating Station, LP,<sup>1</sup> with information and details regarding the nature and resolution of the violation<sup>2</sup> discussed in detail in the Disposition Documents attached hereto (Attachment a), 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)).<sup>3</sup>

On May 4, 2009, Northeast Power Coordinating Council (NPCC) issued its "*NPCC Compliance Guidance Statement (NPCC-CGS-002) - Defining Generator Materiality for Registration*" (Registration Guidance Statement) to identify those generator assets that are material to the reliability of the bulk power system (BPS) and should be registered as Generator Owners (GO) and/or Generator Operators (GOP) within the NPCC footprint. On June 4, 2009, NPCC notified

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<sup>1</sup> Also concurrently being filed are Notices of Penalty for two of Carr Street Generating Station, LP's affiliated entities; one designated as NOC-559 regarding a Notice of Confirmed Violation for Erie Boulevard Hydro Power, LP's violations of the same Reliability Standards and one designated as NOC-560 regarding a Notice of Confirmed Violation for Great Lakes Hydro America ME's violations of the same Reliability Standards. NPCC determined that the concurrently filed violations of the affiliated entities should not serve as a basis for aggravating the penalty in this case because the entities met the NPCC Compliance Guidance Statement schedule to register the assets and submit Mitigation Plans for the self reported violations.

<sup>2</sup> 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.

<sup>3</sup> *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).

Carr Street Generating Station, LP that Carr Street Generating Station, LP would be placed on the NPCC and NERC registry as a Generator Owner and Generator Operator based upon their units being greater than 20 MVA and connected to 115 kV transmission lines. In response, Carr Street Generating Station, LP, on September 18, 2009, self-reported<sup>4</sup> a violation of FAC-008-1 because it did not have a documented Facilities Rating Methodology, and a violation of FAC-009-1 R1 because it had not rated its equipment in accordance with its Facilities Rating Methodology. This NOP is being filed with the Commission because Carr Street Generating Station, LP does not dispute the violations of FAC-008-1 and FAC-009-1 nor the assessed zero dollar (\$0) penalty. Accordingly, the violations identified as NERC Violation Tracking Identification Numbers NPCC200900097 and NPCC200900098 are Confirmed Violations, as that term is defined in 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 Notice of Confirmed Violation and Proposed Penalty or Sanction (NOCV) issued on May 18, 2010 by NPCC. The details of the findings and the basis for the penalty are set forth in the Disposition Documents. This NOP filing contains the basis for approval of this NOP by the NERC Board of Trustees Compliance Committee (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 at issue in this NOP.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty (\$)
NPCC	Carr Street Generating Station, LP	NOC-558	NPCC200900097	FAC-008-1	1	Lower	0
			NPCC200900098	FAC-009-1	1	Medium	

### Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed<sup>5</sup>

#### Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines and the Commission's July 3, 2008 and October 26, 2009 Guidance Orders,<sup>6</sup> the NERC BOTCC reviewed the NOCV and supporting documentation on August 3, 2010. The NERC BOTCC approved the NOCV and the assessment of a zero dollar (\$0) financial penalty against Carr Street Generating Station, LP based upon NPCC's findings and determinations, the NERC BOTCC's review of the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violations at issue.

<sup>4</sup> Carr Street Generating Station, LP submitted its Self-Report using a self-certification form.

<sup>5</sup> See 18 C.F.R § 39.7(d)(4).

<sup>6</sup> *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, "Further Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009). See also *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

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

1. the violations constituted Carr Street Generating Station, LP's first occurrence of violations of NERC Reliability Standards;
2. Carr Street Generating Station, LP self-reported the violations;
3. NPCC reported that Carr Street Generating Station, LP was cooperative throughout the compliance enforcement process;
4. Carr Street Generating Station, LP has a compliance program,<sup>7</sup> as discussed in the Disposition Document;
5. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
6. NPCC determined that the violations did not pose a serious or substantial risk to the reliability of the BPS, as discussed above and in the Disposition Documents;
7. A key mitigating factor reported by NPCC contributing to the \$0 penalty was the fact that the violation was identified within 60 days of Carr Street's receipt of NPCC's Registration Guidance Statement; and
8. NPCC reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

For the foregoing reasons, the NERC BOTCC believes that the assessed penalty of zero dollars (\$0) is appropriate for the violations and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the bulk power system.

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 NOP with the Commission, or, if the Commission decides to review the penalty, upon final determination by the Commission.

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<sup>7</sup> The internal compliance program was a neutral factor in the penalty determination.

**Attachments to be included as Part of this Notice of Penalty**

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

- 1) Disposition of Violations, included as Attachment a;
- 2) Documents regarding FAC-008-1 included as Attachment b;
  - a) Carr Street Generating Station, LP's Self Report, dated September 18, 2009;<sup>8</sup>
  - b) Carr Street Generating Station, LP's Mitigation Plan MIT-09-2220 submitted on December 23, 2009;
  - c) Carr Street Generating Station, LP's Certification of Mitigation Plan Completion, dated February 5, 2010;
  - d) NPCC's Verification of Mitigation Plan Completion, dated March 5, 2010;
- 3) Documents regarding FAC-009-1 included as Attachment c:
  - a) Carr Street Generating Station, LP's Self Report, dated September 18, 2009;<sup>9</sup>
  - b) Carr Street Generating Station, LP's Mitigation Plan MIT-09-2221 submitted on December 23, 2009;
  - c) Carr Street Generating Station, LP's Certification of Mitigation Plan Completion, dated February 5, 2010; and
  - d) NPCC's Verification of Mitigation Plan Completion, dated March 5, 2010.

**A Form of Notice Suitable for Publication<sup>10</sup>**

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

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<sup>8</sup> The document shows the 'printed' date of 9/25/09.

<sup>9</sup> The document shows the 'printed' date of 9/25/09.

<sup>10</sup> 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* Sr. 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>John (Rob) Robertson* Reliability Compliance Analyst Brookfield Renewable Power, U.S. Operations 200 Donald Lynch Blvd, Suite 300 Marlborough, MA 01752 Tel (508) 251-7721 Fax (508) 485-5207 john.robertson@brookfieldpower.com</p> <p>Ishwar Saini* Manager Reliability Compliance Brookfield Renewable Power 200 Donald Lynch Blvd, Suite 300 Marlborough, MA 01752 508-271-7730 ishwar.saini@brookfieldpower.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 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</p> <p>Edward A. Schwerdt* President &amp; Chief Executive Officer Northeast Power Coordinating Council, Inc. 1040 Avenue of the Americas-10th Fl. New York, NY 10018-3703 (212) 840-1070 (212) 302-2782 – facsimile eschwerdt@npcc.org</p> <p>Stanley E. Kopman* Assistant Vice President of Compliance Northeast Power Coordinating Council, Inc. 1040 Avenue of the Americas-10th Fl. New York, NY 10018-3703 (212) 840-1070 (212) 302-2782 – facsimile skopman@npcc.org</p> <p>Walter Cintron* Manager of Compliance Enforcement Northeast Power Coordinating Council, Inc. 1040 Avenue of the Americas-10<sup>th</sup> Fl. New York, NY 10018-3703 (212) 840-1070 (212) 302-2782 – facsimile wcintron@npcc.org</p>
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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  
Sr. 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  
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

cc: Carr Street Generating Station, LP  
Northeast Power Coordinating Council

Attachments

## **Attachment a**

### **Disposition of Violations**

**DISPOSITION OF VIOLATION<sup>1</sup>****Dated August 3, 2010**NERC TRACKING  
NO.**NPCC200900097**  
**NPCC200900098**REGIONAL ENTITY TRACKING  
NO.**NPCC200900097**  
**NPCC200900098**

NOC#

**NOC-558**

REGISTERED ENTITY

**Carr Street Generating Station, LP**

NERC REGISTRY ID

**NCR10354**

REGIONAL ENTITY

**Northeast Power Coordinating Council (NPCC)****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											
		8/14/09	8/14/09											

\* VIOLATION APPLIES TO SHADED FUNCTIONS

DESCRIPTION OF THE REGISTERED ENTITY

**Carr Street Generating Station, LP is a unit of Brookfield Renewable Power, Inc., wholly-owned by Brookfield Asset Management, Inc. In the United States, Brookfield Renewable Power, Inc. owns and operates over 100 generation facilities, totaling over 1,900 MW of capacity, with holdings in nine states. The Carr Street Generating Station facility consists of two units rated 57.4 MW and one unit rated 27.7 MW.**

**II. VIOLATION INFORMATION**

RELIABILITY STANDARD	REQUIREMENT(S)	SUB- REQUIREMENT(S)	VRF(S)	VSL(S)
<b>FAC-008-1</b>	<b>1</b>		<b>Lower</b>	<b>NA</b>
<b>FAC-009-1</b>	<b>1</b>		<b>Medium</b>	<b>NA</b>

<sup>1</sup> 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.

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

**The purpose statement of FAC-008-1 provides: “To ensure that Facility Ratings used in the reliable planning and operation of the Bulk Electric System (BES) are determined based on an established methodology or methodologies.”**

**FAC-008-1 R1 provides in pertinent part: “The Transmission Owner and Generator Owner shall each document its current methodology used for developing Facility Ratings (Facility Ratings Methodology) of its solely and jointly owned Facilities.”**

**The purpose statement of FAC-009-1 provides: “To ensure that Facility Ratings used in the reliable planning and operation of the Bulk Electric System (BES) are determined based on an established methodology or methodologies.”**

**FAC-009-1 R1 provides in pertinent part: “The Transmission Owner and Generator Owner shall each establish Facility Ratings for its solely and jointly owned Facilities that are consistent with the associated Facility Ratings Methodology.”**

VIOLATION DESCRIPTION

**On May 4, 2009 NPCC issued its “*NPCC Compliance Guidance Statement (NPCC-CGS-002) - Defining Generator Materiality for Registration*” (Registration Guidance Statement) to identify those generator assets that are material to the reliability of the bulk power system (BPS) and should be registered as Generator Owners (GO) and/or Generator Operators (GOP) within the NPCC footprint. The Registration Guidance Statement allowed entities 60 days after receipt of the Registration Guidance Statement to review the applicable Reliability Standards, identify areas of non-compliance, and submit necessary mitigation plans. NPCC decided that Registered Entities that followed the Registration Guidance Statement would not be penalized or sanctioned for violations identified within that 60-day period.**

**On June 4, 2009, NPCC sent Carr Street Generating Station, LP an e-mail indicating Carr Street Generating Station, LP would be registered as a Generator Owner and Generator Operator because its units are greater than 20 MVA and connected to 115 kV. Carr Street Generating Station, LP was registered on August 14, 2009. Carr Street Generating Station, LP performed its review of the applicable NERC Generator Owner and Generator Operator standards and on September 18, 2009, submitted a Self Report, using a self-certification form, indicating non-compliance with FAC-008-1 R1 and FAC-009-1 R1. Carr Street stated that it did not have a Facility Ratings Methodology nor did it establish Facility Ratings for its solely and jointly owned Facilities.**

## RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

**NPCC determined that the violations did not create a serious or substantial risk to the BPS. The reliability impact is minimal as the assets involved total 142.5 MVA divided among 3 individual generating sites, the largest being 57.4 MVA.**

IS THERE A SETTLEMENT AGREEMENT      YES ☐      NO ☒

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY)      YES ☐  
 ADMITS TO IT      YES ☐  
 DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS)      YES ☒

WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY

ACCEPTS IT/ DOES NOT CONTEST IT      YES ☒

### **III.      DISCOVERY INFORMATION**

**(Information for this section is the same for both Violations)**

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) 8/14/09 (when Carr Street Generating Station, LP was included on the NERC registry) through 2/5/10 when Carr Street Generating Station, LP completed its Mitigation Plans.**

**DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY 7/29/2009**

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****FAC-008-1****FOR FINAL ACCEPTED MITIGATION PLAN:**

MITIGATION PLAN NO.	<b>MIT-09-2220</b>
DATE SUBMITTED TO REGIONAL ENTITY	<b>12/23/09</b>
DATE ACCEPTED BY REGIONAL ENTITY	<b>12/24/09</b>
DATE APPROVED BY NERC	<b>12/29/09</b>
DATE PROVIDED TO FERC	<b>12/29/09</b>

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

**Carr Street Generating Station, LP submitted its original Mitigation Plan on July 29, 2009. Due to typographical and administrative errors, NPCC required Carr Street Generating Station, LP to resubmit its Mitigation Plan, with NPCC acknowledging that the pertinent parts of the original document were correct and Carr Street Generating Station, LP fell within the 60-day period allowed under the Registration Guidance Statement. Carr Street Generating Station, LP submitted its revised Mitigation Plan on December 23, 2009.**

MITIGATION PLAN COMPLETED      YES   ☒      NO   ☐

EXPECTED COMPLETION DATE	<b>2/5/10</b>
EXTENSIONS GRANTED	<b>None</b>
ACTUAL COMPLETION DATE	<b>2/5/10</b>

DATE OF CERTIFICATION LETTER	<b>2/5/10</b>
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF	<b>2/5/10</b>

DATE OF VERIFICATION LETTER	<b>3/5/10</b>
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF	<b>2/5/10</b>

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

- 1. Assign resources to review requirements and draft documents;**
- 2. Complete Facility Rating methodology;**
- 3. Complete FAC-008-1 Procedure; and**
- 4. Sign off**

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)

***RCP-078 CSGS FAC-008 Facility Ratings Methodology \_rev 00.doc***

**FAC-009-1**

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.	<b>MIT-09-2221</b>
DATE SUBMITTED TO REGIONAL ENTITY	<b>12/23/09</b>
DATE ACCEPTED BY REGIONAL ENTITY	<b>12/24/09</b>
DATE APPROVED BY NERC	<b>12/29/09</b>
DATE PROVIDED TO FERC	<b>12/29/09</b>

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

**Carr Street Generating Station, LP submitted its original Mitigation Plan on July 29, 2009. Due to typographical and administrative errors, NPCC required Carr Street Generating Station, LP to resubmit its Mitigation Plan, with NPCC acknowledging that the pertinent parts were correct and Carr Street Generating Station, LP in principle fell within the 60-day period that NPCC allowed for response to NPCC's Registration Guidance Statement. The revised Mitigation Plan was submitted by Carr Street Generating Station, LP on December 23, 2009, was accepted by NPCC on December 24, 2009, and was approved by NERC on December 29, 2009.**

MITIGATION PLAN COMPLETED      YES ☒      NO ☐

EXPECTED COMPLETION DATE	<b>2/5/10</b>
EXTENSIONS GRANTED	<b>None</b>
ACTUAL COMPLETION DATE	<b>2/5/10</b>

DATE OF CERTIFICATION LETTER	<b>2/5/10</b>
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF	<b>2/5/10</b>

DATE OF VERIFICATION LETTER	<b>3/5/10</b>
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF	<b>2/5/10</b>

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

- 1. Assign resources to review requirements and draft documents;**
- 2. Complete FAC-009-1 Procedure;**

3. Complete Facility Ratings; and
4. Sign off

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)

***RCP-079 CSGS FAC-009 Facility Ratings\_rev 00***

**V. PENALTY INFORMATION**

TOTAL ASSESSED PENALTY OR SANCTION OF **ZERO DOLLARS (\$0)** FOR **TWO** VIOLATIONS 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  
**NONE**

ADDITIONAL COMMENTS

PRIOR VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR REQUIREMENTS THEREUNDER  
YES ☐ NO ☒

LIST ANY PRIOR CONFIRMED OR SETTLED VIOLATIONS AND STATUS  
**NONE**

ADDITIONAL COMMENTS

**(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<sup>2</sup>

YES ☒ NO ☐ UNDETERMINED ☐

EXPLAIN

**The internal Reliability Compliance Program addresses the following key requirements:**

- **Proactively meets relevant Compliance Standards for all registered facilities**
- **Coordinates timely responses to Compliance requirements supported with credible documentation**
- **Keeps both management and operations personnel trained and educated on current Compliance standards and plans.**
- **Developing a corporate-wide Compliance program coordinated with dedicated resources with support from senior management.**

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.

**The Carr Street Generating Station , LP's Reliability Compliance Program is comprehensively supported and acknowledged by the senior management. This support is provided via approval of budgeted funds to support the personnel, facilities and materials necessary to maintain an effective compliance program and via direct accessibility to respond to the compliance related issues identified by the compliance staff.**

**Senior management is regularly updated on:**

- **Carr Street's internal Reliability Compliance Program development**
- **Non-compliance issues and mitigation plans**
- **Potential vulnerabilities and proposed solutions/actions**
- **Proposed standards and their potential impact on operations and the Reliability Compliance program.**
- **Region specific updates to respective GMs**

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<sup>2</sup> The internal compliance program was a neutral factor in the penalty determination.

(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

**On May 4, 2009, NPCC issued "NPCC Compliance Guidance Statement (NPCC-CGS-002) - Defining Generator Materiality for Registration" (Registration Guidance Statement) to identify those generator assets that are material to the reliability of the BPS and should be registered as Generator Owners (GO) and/or Generator Operators (GOP) within the NPCC region. The Registration Guidance Statement allowed entities 60 days after receipt of the Registration Guidance Statement to review the applicable Reliability Standards, identify areas of non-compliance, and submit necessary mitigation plans. NPCC decided that Registered Entities that followed the Registration Guidance Statement would not be penalized or sanctioned for violations identified within that 60-day period.**

**On June 4, 2009, NPCC notified Carr Street Generating Station, LP that it would be registered, and Carr Street Generating Station, LP submitted its initial Mitigation Plan within the 60-day period on July 29, 2009.**

(7) ANY OTHER AGGRAVATING FACTORS FOR CONSIDERATION

YES ☐ NO ☒  
IF YES, EXPLAIN

(8) ANY OTHER EXTENUATING CIRCUMSTANCES

YES ☐ NO ☒  
IF YES, EXPLAIN

EXHIBITS:

SOURCE DOCUMENTS

**FAC-008-1 Self certification dated September 18, 2009**

**FAC-009-1 Self certification dated September 18, 2009**

MITIGATION PLAN

**FAC-008-1 MIT-09-2220**

**FAC-009-1 MIT-09-2221**

CERTIFICATION BY REGISTERED ENTITY

**FAC-008-1 Dated February 5, 2010**

**FAC-009-1 Dated February 5, 2010**

VERIFICATION BY REGIONAL ENTITY

**FAC-008-1 Dated March 5, 2010**

**FAC-009-1 Dated March 5, 2010**

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR  
SANCTION ISSUED

DATE: **2/5/10** OR N/A ☐

SETTLEMENT DISCUSSIONS COMMENCED

DATE: OR N/A ☒

NOTICE OF CONFIRMED VIOLATION ISSUED

DATE: **5/18/10** 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 b**

### **Documents regarding FAC-008-1:**

- i. Carr Street Generating Station, LP's Self-Report, dated September 18, 2009**
- ii. Carr Street Generating Station, LP's Mitigation Plan MIT-09-2220 submitted on December 23, 2009**
- iii. Carr Street Generating Station, LP's Certification of Mitigation Plan Completion, dated February 5, 2010**
- iv. NPCC's Verification of Mitigation Plan Completion, dated March 5, 2010**

Logged in as:

Rafael Sahiholamal

Log Out

System Administration

Compliance

Mitigation Plans

Plants & Generators

2009 Schedule

FAC-008-1 Self Certification (GO) - Facility Ratings Methodology - 09/01/2008 to 08/31/2009

Save PDF | Return To Search Results

Attachments (0)

This form has been locked because it was included on a certification statement.  
If you need to edit data contained in this form, please contact your NPCC Administrator.

This form was marked as ready to be added to a certification statement on 9/18/2009.

\* Required Fields

Status: Read Only

#### Technical Contact

\* Ishwar Saini (ishwar.saini@brookfieldpower.com) |

Notice: Prior to submitting this self-certification form, you are directed to review the complete text of the applicable reliability standard (including interpretations) that is found at [www.nerc.com](http://www.nerc.com). Each registered entity should evaluate its compliance with the official standard in preparing this filing.

Evidence must be retained to support the responses to this Self-Certification, including any follow-up investigation, until the completion of the next scheduled audit, unless the NERC or Regional Entity advises otherwise.

NPCC will disclose this information to NERC and other third parties, only as required, and in accordance with established procedures pursuant to section 1500 of the NERC rules of procedure.

This self-certification covers the Reporting Period for **09/01/2008 to 08/31/2009**. The response to the certification should accurately reflect the entity's compliance status for the entire Reporting Period.

#### Applicable Function: GO

As an authorized representative of **Carr Street Generating Station, LP**, I certify the following:

1. **Carr Street Generating Station, LP** was in Compliance with the NERC Reliability Standard FAC-008-1 for the entire Reporting Period.

2. **Carr Street Generating Station, LP** is Not in Compliance for a portion of or the entire Reporting Period with the following requirement(s) of NERC Reliability Standard FAC-008-1 (indicated by checkmark) but was in compliance with all other requirements of the standard for the entire Reporting Period.

☒ **Carr Street Generating Station, LP** is indicating a possible violation that has **not** been previously identified to NPCC.

☐ **Carr Street Generating Station, LP** is indicating a possible violation that was previously identified to NPCC. Provide issues tracking number, if known.

Check all requirements for which Carr Street Generating Station, LP was Not in Compliance for a portion of or the entire Reporting Period:

☒ **R1.** The Transmission Owner and Generator Owner shall each document its current methodology used for developing Facility Ratings (Facility Ratings Methodology) of its solely and jointly owned Facilities. The methodology shall include all of the following:

☒ **R1.1.** A statement that a Facility Rating shall equal the most limiting applicable Equipment Rating of the individual equipment that comprises that Facility.

☒ **R1.2.** The method by which the Rating (of major BES equipment that comprises a Facility) is determined.

☒ **R1.2.1.** The scope of equipment addressed shall include, but not be limited to, generators, transmission conductors, transformers, relay protective devices, terminal equipment, and

series and shunt compensation devices.

- e **R1.2.2.** The scope of Ratings addressed shall include, as a minimum, both Normal and Emergency Ratings.
- e **R1.3.** Consideration of the following:
  - e **R1.3.1.** Ratings provided by equipment manufacturers.
  - e **R1.3.2.** Design criteria (e.g., including applicable references to industry Rating practices such as manufacturer's warranty, IEEE, ANSI or other standards).
  - e **R1.3.3.** Ambient conditions.
  - e **R1.3.4.** Operating limitations.
  - e **R1.3.5.** Other assumptions.

**NOTE:** While submittal of a mitigation plan is not required until after a determination of a violation is confirmed, early submittal of a mitigation plan to address and remedy an identified deficiency is encouraged. Submittal of a mitigation plan shall not be deemed an admission of a violation. (See NERC Rules of Procedure, Appendix 4C, Section 6.4.)

Provide a detailed explanation why this was not accomplished

As a result of an internal review predicated by release of the NPCC revised asset registration criteria issued on June 05, 2009, Carr Street Generating Station, LP (CSGS) was identified as a potential GO/GOP entity. Per the NPCC directive, CSGS performed an internal gap analysis to determine the level of compliance to the applicable NERC reliability standards. In further guidance, NPCC suggested entities submit mitigation plans to address areas where less than full compliance with the standards was indicated.

In response to the NPCC directive, CSGS submitted Mitigation Plans for FAC-008 and FAC-009 on July 29, 2009. The Mitigation Plan Completion date is February 04, 2010.

On August 14, 2009, CSGS was officially listed on the NERC Compliance Registry.

As a consequence of the new asset registration process, CSGS is self-reporting a violation for the period starting August 14, 2009 to August 31, 2009.

Enter date of alleged violation

8/14/2009 ▼

Enter time of alleged violation

00:00:00 hh:mm:ss

- e **R2.** The Transmission Owner and Generator Owner shall each make its Facility Ratings Methodology available for inspection and technical review by those Reliability Coordinators, Transmission Operators, Transmission Planners, and Planning Authorities that have responsibility for the area in which the associated Facilities are located, within 15 business days of receipt of a request.
  - e **R3.** If a Reliability Coordinator, Transmission Operator, Transmission Planner, or Planning Authority provides written comments on its technical review of a Transmission Owner's or Generator Owner's Facility Ratings Methodology, the Transmission Owner or Generator Owner shall provide a written response to that commenting entity within 45 calendar days of receipt of those comments. The response shall indicate whether a change will be made to the Facility Ratings Methodology and, if no change will be made to that Facility Ratings Methodology, the reason why.
- jn 3. The NERC Reliability Standard FAC-008-1 **does not** apply to **Carr Street Generating Station, LP** because

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## Mitigation Plan Submittal Form

Date this Mitigation Plan is being submitted<sup>1</sup>: July 29, 2009  
Revision Dec.23, 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" to this form.
- A.2 ☒ 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:

B.2

Company Name: **Carr Street Generating Station, LP**

Company Address: **64 Carr St., Dewitt, New York 13057**

NERC Compliance Registry ID: **NCR10354**

B.3 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan.

Name: **Ishwar Saini**

Title: **Manager, Reliability Compliance**

Email: **Ishwar.saini@brookfieldpower.com**

Phone: **508-251-7730**

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<sup>1</sup> Please provide with all previous revisions



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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.

Applicable Standard, Requirement(s) and dates:

NERC Violation ID #	Reliability Standard	Requirement Number	Violation Risk Factor <sup>2</sup>	Alleged or Confirmed Violation Date <sup>(*)</sup>	Method of Detection (e.g., Audit, Self-report, Investigation)
NPCC 200900097	FAC-008-1	R1	Lower	8/14/2009	Self Report

(\*) Note: The Alleged or Confirmed Violation Date shall be expressly specified by Registered Entity, and subject to modification by [RE acronym], 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 [RE acronym]. Questions regarding the date to use should be directed to the [RE acronym] 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:

The cause of this violation was the lack of Facility Ratings Methodology as this is required by FAC-008-1, R1 at the time of registering CSGS with NPCC and NERC.

CSGC was registered with NPCC and NERC on August 14, 2009 as per NPCC's criteria and instructions.

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:

NA

<sup>2</sup> This can be taken out from NERC site under VRF Matrix  
<http://www.nerc.com/page.php?cid=2|20>



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## **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:

1. Assign Resources
2. Complete Facility Rating Methodology
3. Complete FAC-008-1 Procedure
4. Sign off

### **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:

February 04, 2010

- D.3 Enter Milestone Activities, with due dates, that your organization is proposing, or has completed, for this Mitigation Plan:

Milestone Activity	Proposed/Actual Completion Date* (shall not be more than 3 months apart)
Assign Resources	August 31, 2009
Review of Draft document progress	October 30, 2009
Complete FRM Draft Version 00	December 15, 2010
Complete FAC – 008-1 FRM	January 15, 2010
Complete FAC – 008-1 Procedure	January 30, 2010
Get Sign Offs	February 04, 2010
Execute	February 05, 2010

(\*) Note: Implementation milestones no more than three (3) months apart are permissible only 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.



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## **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:

Low Risk

### **Prevention of Future BPS Reliability Risk**

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

Will ensure full compliance with all NERC FAC – 008-1 Requirements for the Carr Street Generating Station, LP's generating units as listed below:

<b>Generator Station Name</b>	<b>Generator Unit Name</b>	<b>Gross Nameplate Rating (MVA)</b>	<b>Bus kV</b>
Carr Street Generating Station	Carr Street A	57.40	115
Carr Street Generating Station	Carr Street B	57.40	115
Carr Street Generating Station	Carr Street C	27.70	115



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## 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 NPCC 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 **Manager, Reliability Compliance** of **Carr Street Generating Station, LP**.
  2. I am qualified to sign this Mitigation Plan on behalf of **Carr Street Generating Station, LP**.
  3. I understand **Carr Street Generating Station, LP's** obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure, including Appendix 4(C) (Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation" (NERC CMEP)).
  3. I have read and am familiar with the contents of this Mitigation Plan.
  4. **Carr Street Generating Station, LP** agrees to comply with, this Mitigation Plan, including the timetable completion date, as accepted by NPCC and approved by NERC.

**Authorized Individual Signature**

*Ishwar Saini*

Name (Print): **Ishwar Saini**  
 Title : **Manager, Reliability Compliance, US Operations**  
 Date: **Dec.23, 2009**



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1040 AVE OF THE AMERICAS, NEW YORK, NY 10018 TELEPHONE (212) 840-1070 FAX (212) 302-2782

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**Section G: Regional Entity Contact**

Please direct any questions regarding completion of this form to:

Walter Cintron  
Manager, Compliance Enforcement  
Northeast Power Coordinating Council, Inc.  
1040 Ave. of the Americas – 10<sup>th</sup> Floor  
New York, N.Y. 10018  
Tel: 212-840-1070  
Fax: 212-302-2782  
E-mail: [wcintron@npcc.org](mailto:wcintron@npcc.org)



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1040 AVE OF THE AMERICAS, NEW YORK, NY 10018 TELEPHONE (212) 840-1070 FAX (212) 302-2782

## **Attachment A – Compliance Notices & Mitigation Plan Requirements**

- I. Section 6.2 of the CMEP<sup>3</sup> 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. This person may be the Registered Entity's point of contact described in Section 2.0.
  - (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) 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 NPCC and approval by NERC.

<sup>3</sup> "Uniform Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation;" a copy of the current version approved by the Federal Energy Regulatory Commission is posted on NERC's website.



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- III. This Mitigation Plan is submitted to the regional entity (ies) 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 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 NPCC 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. NPCC 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.

## **Certification of a Completed Mitigation Plan**

### **NPCC**

### **Violation Mitigation Plan Closure Form**

Name of registered entity submitting certification: **Carr Street Generating Station, LP**

Date of Certification<sup>1</sup>: **February 05, 2010**

Name of Standard and the Requirement of which a violation was mitigated: **FAC-008-1, R1**

Date of the Mitigation Plan submittal<sup>2</sup>: **July 29, 2009, Revision Dec.23, 2009**

Date of completion of the Milestone Activities in Mitigation Plan<sup>3</sup>: **February 05, 2010**

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.

Please provide any additional information required for NPCC to verify completion of the mitigation plan.

Name: **Ishwar C Saini**

Title: **Manager, Reliability Compliance**

Entity: **Brookfield Renewable Power**

Email: **Ishwar.saini@brookfieldpower.com**

Phone: **508-251-7730**

Executive Signature



Date: **February 05, 2010**

<sup>1</sup> This date has to be the same as the signature date

<sup>2</sup> The date final Mitigation Plan has been signed

<sup>3</sup> The completion date for the last Milestone Activity

**Mitigation Plan Milestone Activity Reporting**

Date: February 03, 2010

To: Walter Cintron,

Manager, Compliance Enforcement

Carr Street Generating Station, LP provides the following evidence for NPCC to verify the completed activities in the Mitigation Plan.

Activity	Dates Completed	Documentation <sup>1</sup> Insert any documents indicating completion of the Activity.
i. Assign Resources	Nov. 02, 2009	1 - Re_ Consulting Services business case EBH for FAC Rev00 Oct27-09 Rev02.pdf
ii. Review FRM Draft Version 00	Dec. 21, 2009	2&3 - Draft Carr Street FAC-008_9 Report.pdf
iii. Complete FRM Draft Version 00	Dec. 21, 2009	2&3 - Draft Carr Street FAC-008_9 Report.pdf
iv. Final Report	Jan. 11, 2010	4 - carr St final report.pdf
v. Complete FAC-008-1 Procedure	Feb.02, 2010	5 - RCP-078 csgs FAC-008 Facility Ratings Methodology _rev 00.doc
vi. Get Sign off on procedure	Feb 4, 2010	6 - FW_ FAC-008 and FAC-009 sign off.pdf

1. To attach a file: from the INSERT drop down menu in Microsoft Word click OBJECT, click the tab CREATE FROM FILE, click BROWSE, find the file you wish to attach, click INSERT, click the DISPLAY AS ICON check box, click CHANGE ICON, in the CAPTION field change the file name, click OK, click OK. Resize the attached file to fit in the cell.

Authorized Signature: \_\_\_\_\_





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**Confidential**

Date: March 5, 2010

Name: Mr. Ishwar C Saini  
Manager, Reliability Compliance  
Brookfield Renewable Power  
Carr Street Generating Station, LP

**Re: Mitigation Plan Tracking # MIT-09-2220, NERC Violation # NPCC200900097**

This letter is to notify you that on March 5, 2010, NPCC verified the completion of the Mitigation Plan # MIT-09-2220 submitted on Dec.23, 2009.

NPCC thanks you for your cooperation in this matter and for improving the reliability of the bulk electric system.

Please do not hesitate to call if you have any questions regarding this issue.

Sincerely,

Walter Cintron  
Manager, Compliance Enforcement  
Tel: 212 840-1070  
Fax: 212 302-2782  
wcintron@npcc.org

## **Attachment c**

### **Documents regarding FAC-009-1:**

- i. Carr Street Generating Station, LP's Self-Report, dated September 18, 2009**
- ii. Carr Street Generating Station, LP's Mitigation Plan MIT-09-2221 submitted on December 23, 2009**
- iii. Carr Street Generating Station, LP's Certification of Mitigation Plan Completion, dated February 5, 2010**
- iv. NPCC's Verification of Mitigation Plan Completion, dated March 5, 2010**

Logged in as:

Rafael Sahiholamal

Log Out

System Administration

Compliance

Mitigation Plans

Plants & Generators

2009 Schedule

FAC-009-1 Self Certification (GO) - Establish and Communicate Facility Ratings - 09/01/2008 to 08/31/2009

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Attachments (0)

This form has been locked because it was included on a certification statement.  
If you need to edit data contained in this form, please contact your NPCC Administrator.

This form was marked as ready to be added to a certification statement on 9/18/2009.

\* Required Fields

Status: Read Only

#### Technical Contact

\* Ishwar Saini (ishwar.saini@brookfieldpower.com) |

Notice: Prior to submitting this self-certification form, you are directed to review the complete text of the applicable reliability standard (including interpretations) that is found at [www.nerc.com](http://www.nerc.com). Each registered entity should evaluate its compliance with the official standard in preparing this filing.

Evidence must be retained to support the responses to this Self-Certification, including any follow-up investigation, until the completion of the next scheduled audit, unless the NERC or Regional Entity advises otherwise.

NPCC will disclose this information to NERC and other third parties, only as required, and in accordance with established procedures pursuant to section 1500 of the NERC rules of procedure.

This self-certification covers the Reporting Period for **09/01/2008 to 08/31/2009**. The response to the certification should accurately reflect the entity's compliance status for the entire Reporting Period.

#### Applicable Function: GO

As an authorized representative of **Carr Street Generating Station, LP**, I certify the following:

1. **Carr Street Generating Station, LP** was in Compliance with the NERC Reliability Standard FAC-009-1 for the entire Reporting Period.

2. **Carr Street Generating Station, LP** is Not in Compliance for a portion of or the entire Reporting Period with the following requirement(s) of NERC Reliability Standard FAC-009-1 (indicated by checkmark) but was in compliance with all other requirements of the standard for the entire Reporting Period.

☒ **Carr Street Generating Station, LP** is indicating a possible violation that has **not** been previously identified to NPCC.

☐ **Carr Street Generating Station, LP** is indicating a possible violation that was previously identified to NPCC. Provide issues tracking number, if known.

Check all requirements for which Carr Street Generating Station, LP was Not in Compliance for a portion of or the entire Reporting Period:

☒ **R1. The Transmission Owner and Generator Owner shall each establish Facility Ratings for its solely and jointly owned Facilities that are consistent with the associated Facility Ratings Methodology.**

**NOTE:** While submittal of a mitigation plan is not required until after a determination of a violation is confirmed, early submittal of a mitigation plan to address and remedy an identified deficiency is encouraged. Submittal of a mitigation plan shall not be deemed an admission of a violation. (See NERC Rules of Procedure, Appendix 4C, Section 6.4.)

Provide a detailed explanation why this was not accomplished

As a result of an internal review predicated by release of the

NPCC revised asset registration criteria issued on June 05, 2009, Carr Street Generating Station, LP (CSGS) was identified as a potential GO/GOP entity. Per the NPCC directive, CSGS performed an internal gap analysis to determine the level of compliance to the applicable NERC reliability standards. In further guidance, NPCC suggested entities submit mitigation plans to address areas where less than full compliance with the standards was indicated.

In response to the NPCC directive, CSGS submitted Mitigation Plans for FAC-008 and FAC-009 on July 29, 2009. The Mitigation Plan Completion date is February 04, 2010.

On August 14, 2009, CSGS was officially listed on the NERC Compliance Registry.


As a consequence of the new asset registration process, CSGS is self-reporting a violation for the period starting August 14, 2009 to August 31, 2009.


Enter date of alleged violation

8/14/2009 

Enter time of alleged violation

00:00:00 hh:mm:ss

 **R2.** The Transmission Owner and Generator Owner shall each provide Facility Ratings for its solely and jointly owned Facilities that are existing Facilities, new Facilities, modifications to existing Facilities and re-ratings of existing Facilities to its associated Reliability Coordinator(s), Planning Authority(ies), Transmission Planner(s), and Transmission Operator(s) as scheduled by such requesting entities.

 3. The NERC Reliability Standard FAC-009-1 **does not** apply to **Carr Street Generating Station, LP** because

Additional Comments:

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## Mitigation Plan Submittal Form

Date this Mitigation Plan is being submitted<sup>1</sup>: July 29, 2009  
Revision Dec.23, 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" to this form.
- A.2 ☒ 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:  
B.2

Company Name: **Carr Street Generating Station, LP**  
Company Address: **64 Carr St., Dewitt, New York 13057**

NERC Compliance Registry ID: **NCR10354**

- B.3 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan.

Name: **Ishwar Saini**  
Title: **Manager, Reliability Compliance**  
Email: **Ishwar.saini@brookfieldpower.com**  
Phone: **508-251-7730**

---

<sup>1</sup> Please provide with all previous revisions



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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.

Applicable Standard, Requirement(s) and dates:

NERC Violation ID #	Reliability Standard	Requirement Number	Violation Risk Factor <sup>2</sup>	Alleged or Confirmed Violation Date <sup>(*)</sup>	Method of Detection (e.g., Audit, Self-report, Investigation)
NPCC 200900098	FAC-009-1	R1	Medium	8/14/2009	Self Report

(\*) Note: The Alleged or Confirmed Violation Date shall be expressly specified by Registered Entity, and subject to modification by [RE acronym], 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 [RE acronym]. Questions regarding the date to use should be directed to the [RE acronym] 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:

The cause of this violation was the lack of Facility Ratings as this is required by FAC-009-1, R1 at the time of registering CSGS with NPCC and NERC.

CSGC was registered with NPCC and NERC on August 14, 2009 as per NPCC's criteria and instructions.

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:

NA

<sup>2</sup> This can be taken out from NERC site under VRF Matrix  
<http://www.nerc.com/page.php?cid=2|20>



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## **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:

1. Assign Resources
2. Complete Facility Rating Methodology
3. Complete FAC-009-1 Procedure
4. Sign off

### **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:

February 04, 2010

- D.3 Enter Milestone Activities, with due dates, that your organization is proposing, or has completed, for this Mitigation Plan:

Milestone Activity	Proposed/Actual Completion Date* (shall not be more than 3 months apart)
Assign Resources	August 31, 2009
Review of Draft document progress	October 30, 2009
Complete FRM Draft Version 00	December 15, 2010
Complete FAC – 009-1 FRM	January 15, 2010
Complete FAC – 009-1 Procedure	January 30, 2010
Get Sign Offs	February 04, 2010
Execute	February 05, 2010

(\*) Note: Implementation milestones no more than three (3) months apart are permissible only 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.



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## **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:

Low Risk

### **Prevention of Future BPS Reliability Risk**

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

Will ensure full compliance with all NERC FAC – 009-1 Requirements for the Carr Street Generating Station, LP's generating units as listed below:

<b>Generator Station Name</b>	<b>Generator Unit Name</b>	<b>Gross Nameplate Rating (MVA)</b>	<b>Bus kV</b>
Carr Street Generating Station	Carr Street A	57.40	115
Carr Street Generating Station	Carr Street B	57.40	115
Carr Street Generating Station	Carr Street C	27.70	115



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## 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 NPCC 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 **Manager, Reliability Compliance** of **Carr Street Generating Station, LP**.
  2. I am qualified to sign this Mitigation Plan on behalf of **Carr Street Generating Station, LP**.
  3. I understand **Carr Street Generating Station, LP's** obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure, including Appendix 4(C) (Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation" (NERC CMEP)).
  3. I have read and am familiar with the contents of this Mitigation Plan.
  4. **Carr Street Generating Station, LP** agrees to comply with, this Mitigation Plan, including the timetable completion date, as accepted by NPCC and approved by NERC.

**Authorized Individual Signature**

*Ishwar Saini*

Name (Print): **Ishwar Saini**  
 Title : **Manager, Reliability Compliance, US Operations**  
 Date: **December 23, 2009**



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**Section G: Regional Entity Contact**

Please direct any questions regarding completion of this form to:

Walter Cintron  
Manager, Compliance Enforcement  
Northeast Power Coordinating Council, Inc.  
1040 Ave. of the Americas – 10<sup>th</sup> Floor  
New York, N.Y. 10018  
Tel: 212-840-1070  
Fax: 212-302-2782  
E-mail: [wcintron@npcc.org](mailto:wcintron@npcc.org)



NORTHEAST POWER COORDINATING COUNCIL, INC.  
1040 AVE OF THE AMERICAS, NEW YORK, NY 10018 TELEPHONE (212) 840-1070 FAX (212) 302-2782

## **Attachment A – Compliance Notices & Mitigation Plan Requirements**

- I. Section 6.2 of the CMEP<sup>3</sup> 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. This person may be the Registered Entity's point of contact described in Section 2.0.
  - (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) 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 NPCC and approval by NERC.

<sup>3</sup> "Uniform Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation;" a copy of the current version approved by the Federal Energy Regulatory Commission is posted on NERC's website.



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- III. This Mitigation Plan is submitted to the regional entity (ies) 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 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 NPCC 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. NPCC 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.

## **Certification of a Completed Mitigation Plan**

### **NPCC**

### **Violation Mitigation Plan Closure Form**

Name of registered entity submitting certification: **Carr Street Generating Station, LP**

Date of Certification<sup>1</sup>: **February 05, 2010**

Name of Standard and the Requirement of which a violation was mitigated: **FAC-009-1, R1**

Date of the Mitigation Plan submittal<sup>2</sup>: **July 29, 2009, Revision Dec.23, 2009**

Date of completion of the Milestone Activities in Mitigation Plan<sup>3</sup>: **February 05, 2010**

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.

Please provide any additional information required for NPCC to verify completion of the mitigation plan.

Name: **Ishwar C Saini**

Title: **Manager, Reliability Compliance**

Entity: **Brookfield Renewable Power**

Email: **Ishwar.saini@brookfieldpower.com**

Phone: **508-251-7730**

Executive Signature



Date: **February 05, 2010**

<sup>1</sup> This date has to be the same as the signature date

<sup>2</sup> The date final Mitigation Plan has been signed

<sup>3</sup> The completion date for the last Milestone Activity

**Mitigation Plan Milestone Activity Reporting**

Date: February 03, 2010

To: Walter Cintron,

Manager, Compliance Enforcement

Carr Street Generating Station, LP provides the following evidence for NPCC to verify the completed activities in the Mitigation Plan.

Activity	Dates Completed	Documentation <sup>1</sup> Please separate attachments with these names.
i. Assign Resources	Nov. 02, 2009	1 - Re_ Consulting Services business case EBH for FAC Rev00 Oct27-09 Rev02.pdf
ii. Review FRM Draft Version 00	Dec. 21, 2009	2&3 - Draft Carr Street FAC-008 & FAC-009 Report.pdf
iii. Complete FRM Draft Version 00	Dec. 21, 2009	2&3 - Draft Carr Street FAC-008 & FAC-009 Report.pdf
iv. Final Report	Jan. 11, 2010	4 - carr St final report.pdf
v. Complete FAC-008-1 Procedure	Feb.02, 2010	5 - RCP-079 csgs FAC-009 Facility Ratings_rev 00.doc
vi. Get Sign off on procedure	Feb 4, 2010	6 - FAC-009 CSGS.pdf

1. To attach a file: from the INSERT drop down menu in Microsoft Word click OBJECT, click the tab CREATE FROM FILE, click BROWSE, find the file you wish to attach, click INSERT, click the DISPLAY AS ICON check box, click CHANGE ICON, in the CAPTION field change the file name, click OK, click OK. Resize the attached file to fit in the cell.

Authorized Signature: \_\_\_\_\_





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**Confidential**

Date: March 5, 2010

Name: Mr. Ishwar C Saini  
Manager, Reliability Compliance  
Brookfield Renewable Power  
Carr Street Generating Station, LP

**Re: Mitigation Plan Tracking # MIT-09-2221, NERC Violation # NPCC200900098**

This letter is to notify you that on March 5, 2010, NPCC verified the completion of the Mitigation Plan # MIT-09-2221 submitted on Dec.23, 2009.

NPCC thanks you for your cooperation in this matter and for improving the reliability of the bulk electric system.

Please do not hesitate to call if you have any questions regarding this issue.

Sincerely,

Walter Cintron  
Manager, Compliance Enforcement  
Tel: 212 840-1070  
Fax: 212 302-2782  
wcintron@npcc.org

**Attachment d**

**Notice of Filing**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Carr Street Generating Station, LP

Docket No. NP10-\_\_\_\_-000

NOTICE OF FILING  
September 22, 2010

Take notice that on September 22, 2010, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding Carr Street Generating Station, LP in the Northeast Power Coordinating Council 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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,  
Secretary