



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

June 29, 2011

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

**Re: NERC Abbreviated Notice of Penalty regarding City of Loveland, Colorado,
FERC Docket No. NP11-__-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding City of Loveland, Colorado (CYLV), with information and details regarding the nature and resolution of the violation¹ 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 4 C (NERC Compliance Monitoring and Enforcement Program (CMEP)).²

This NOP is being filed with the Commission because Western Electricity Coordinating Council (WECC) and (CYLV) have entered into a Settlement Agreement to resolve all outstanding issues arising from WECC's determination and findings of the violation of PRC-008-0 Requirement (R) 2. According to the Settlement Agreement, CYLV stipulates to the facts of the violation and has agreed to the assessed penalty of three thousand dollars (\$3,000), in addition to other remedies and actions to mitigate the instant violation and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violation identified as NERC Violation Tracking Identification Numbers WECC200901755 is being filed in accordance with the NERC Rules of Procedure and the CMEP.

¹ 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.

² *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 (2011). *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).

Statement of Findings Underlying the Violation

This NOP incorporates the findings and justifications set forth in the Settlement Agreement executed on December 1, 2010 by and between WECC and CYLV. 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.

NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Duration	Total Penalty (\$)
NOC-739	WECC200901755	PRC-008-0	2	Medium	6/18/07-12/10/09	3,000

The text of the Reliability Standard at issue and further information on the subject violations are set forth in the Disposition Document.

PRC-008-0 R2- OVERVIEW

CYLV submitted a Self-Report on December 1, 2009. WECC determined that from June 18, 2007 to December 10, 2009, CYLV, as a Distribution Provider, failed to implement its Under Frequency Load Shedding (UFLS) equipment maintenance and testing program as required by PRC-008-0 R.2. CYLV explains in the Self-Report that, due to recent changes to CYLV's operations, the UFLS Program work was transferred through a contractual agreement to another entity. The new entity carrying out the UFLS Program discovered that the frequency shedding values on the first two tested relays were input correctly; however, no output for trip was programmed into the relay. Due to this issue, the UFLS equipment would not have shed load as required during a UFLS event. CYLV's investigation of the settings revealed that six of nine UFLS relays had been improperly wired, thereby invalidating CYLV program results for those relays. Although the remaining three relays were correctly wired and programmed, there were no records to demonstrate the implementation of its UFLS program.

Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed³

Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, the Commission's July 3, 2008, October 26, 2009 and August 27, 2010 Guidance Orders,⁴ the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on June 10, 2011. The NERC BOTCC approved the Settlement Agreement, including WECC's assessment of a three thousand dollar (\$3,000) financial penalty against CYLV and other actions

³ See 18 C.F.R. § 39.7(d)(4).

⁴ *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); *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

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:⁵

1. the violation constituted CYLV's first occurrence of violation of the subject NERC Reliability Standards;
2. CYLV self-reported the violation;
3. WECC reported that CYLV was cooperative throughout the compliance enforcement process;
4. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
5. WECC determined that the violation posed a moderate risk to the reliability of the bulk power system (BPS), as discussed in the Disposition Document; and
6. WECC 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 approved the Settlement Agreement and believes that the assessed penalty of three thousand dollars (\$3,000) is appropriate for the violation and circumstances at issue, 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 NOP with FERC, or, if FERC decides to review the penalty, upon final determination by FERC.

⁵ CYLV did not receive credit for having a compliance program because it was not reviewed by WECC.

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:

- a) Settlement Agreement by and between WECC and CYLV executed December 1, 2010, included as Attachment a;
- b) Disposition Document included as Attachment b;
- c) CYLV's Self-Report for PRC-008-0 R2 dated December 1, 2009, included as Attachment c;
- d) CYLV's Mitigation Plan MIT-07-2182 submitted December 1, 2009, included as Attachment d;
- e) CYLV's Certification of Mitigation Plan Completion dated December 11, 2009, included as Attachment e; and
- f) WECC's Verification of Mitigation Plan Completion dated December 18 2009, included as Attachment f.

A Form of Notice Suitable for Publication⁶

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

⁶ 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* Senior Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, N.J. 08540-5721 (609) 452-8060 (609) 452-9550 – facsimile david.cook@nerc.net</p> <p>Mark Maher* Chief Executive Officer Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (360) 213-2673 (801) 582-3918 – facsimile Mark@wecc.biz</p> <p>Constance White* Vice President of Compliance Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6855 (801) 883-6894 – facsimile CWhite@wecc.biz</p> <p>Sandy Mooy* Associate General Counsel Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 819-7658 (801) 883-6894 – facsimile SMooy@wecc.biz</p>	<p>Rebecca J. Michael* Associate General Counsel for Corporate and Regulatory Matters North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, D.C. 20005-3801 (202) 393-3998 (202) 393-3955 – facsimile rebecca.michael@nerc.net</p> <p>Christopher Luras* Manager of Compliance Enforcement Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6887 (801) 883-6894 – facsimile CLuras@wecc.biz</p> <p>Ralph Mullinix* Director, Department of Water and Power City of Loveland, Colorado 200 N. Wilson Avenue Loveland, CO 80537 (970)962-3704 mullir@ci.loveland.co.us</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>
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Conclusion

Accordingly, NERC respectfully requests that the Commission accept this Abbreviated 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
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/s/ Rebecca J. Michael
Rebecca J. Michael
Associate General Counsel for Corporate
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(202) 393-3998
(202) 393-3955 – facsimile
rebecca.michael@nerc.net

cc: City of Loveland, Colorado
Western Electricity Coordinating Council

Attachments

Attachment a

Settlement Agreement by and between WECC and CYLV executed December 1, 2010

SETTLEMENT AGREEMENT
OF
WESTERN ELECTRICITY COORDINATING COUNCIL
AND
CITY OF LOVELAND, COLORADO

Western Electricity Coordinating Council ("WECC") and City of Loveland, Colorado ("CYLV")(collectively the "Parties") hereby enter into this Settlement Agreement ("Agreement") on this 30 day of NOVEMBER, 2010.

RECITALS

A. The Parties desire to enter into this Agreement to resolve all outstanding issues between them arising from a non-public, preliminary assessment of CYLV by WECC that resulted in certain WECC determinations and findings regarding a CYLV Alleged Violation of the following North American Electric Reliability Corporation ("NERC") Reliability Standard ("Reliability Standard" or "Standard"):

WECC200901755 PRC-008-0 R2 *Underfrequency Load Shedding Equipment Maintenance Programs*

B. CYLV has a council-manager form of government with a nine member policy-making board for the City of Loveland, Colorado. CYLV provides distribution electric service to approximately 32,400 residential, commercial, and industrial customers in northern Colorado. CYLV is a summer peaking area with a system peak load of 135 MW. CYLV was registered on the NERC Compliance Registry on June 17, 2007 as a Distribution Provider.

C. WECC was formed on April 18, 2002 by the merger of the Western Systems Coordinating Council, Southwest Regional Transmission Association, and Western Regional Transmission Association. WECC is one of eight Regional Entities in the United States responsible for coordinating and promoting electric system reliability and enforcing the mandatory Reliability Standards created by NERC under the authority granted in Section 215 of the Federal Power Act. In addition, WECC supports efficient competitive power markets, assures open and non-discriminatory transmission access among members, provides a forum for resolving transmission access disputes, and provides an environment for coordinating the operating and planning activities of its members. WECC's region encompasses a vast area of nearly 1.8 million square miles extending from Canada to Mexico and including 14 western states. It is the largest and most diverse of the eight Regional Entities in the United States.

D. The Parties are entering into this Agreement to settle the disputed matters between them. It is in the Parties' and the public's best interests to resolve this matter

efficiently without the delay and burden associated with a contested proceeding. Thus, for the purposes of this agreement, CYLV admits to the stipulated violations facts as set forth herein.

Nothing contained in this Agreement shall be construed as a waiver of either party's rights, except as otherwise contained herein. Except, however, nothing in this Agreement shall limit or prevent WECC from evaluating CYLV for subsequent violations of the same Reliability Standards addressed herein and taking enforcement action, if necessary. Such enforcement action can include assessing penalties against CYLV for subsequent violations of the Reliability Standards addressed herein in accordance with NERC Rules of Procedure.

NOW, THEREFORE, in consideration of the terms set forth herein WECC and CYLV hereby agree and stipulate to the following:

I. Stipulated Violation Facts

A. NERC Reliability Standard PRC-008-0, Requirement 2

The Transmission Owner and Distribution Provider with a UFLS program (as required by its Regional Reliability Organization) shall implement its UFLS equipment maintenance and testing program and shall provide UFLS maintenance and testing program results to its Regional Reliability Organization and NERC on request (within 30 calendar days).

CYLV is subject to this Standard because it was registered on the NERC Compliance Registry as a Distribution Provider ("DP") on June 17, 2007. CYLV Self-Reported a possible violation of this Standard on December 1, 2009. On November 19, 2009, CYLV discovered that its Under Frequency Load Shedding ("UFLS") equipment maintenance and testing program had not been properly implemented and the results were not properly documented as required by PRC-008-0 R2.

CYLV owns and operates nine relays which are included as part of the WECC UFLS program. During the initial implementation of the CYLV UFLS equipment maintenance and testing program ("UFLS Program") required by PRC-008-0 R2, a CYLV employee submitted results indicating that the UFLS Program was performed as required. Due to recent changes to CYLV's operations, the UFLS Program work was transferred through a contractual agreement to another entity. The new entity carrying out the UFLS program discovered that the frequency shedding values on the first two tested relays were Input correctly; however, no output for trip was programmed into the relay. Because no output for trip was programmed by the original CYLV Relay Technician, the UFLS equipment would not shed load as required during a UFLS event. Upon this discovery, CYLV took steps to investigate the settings, and confirm maintenance and test records for all of its relays.

The investigation revealed that six of CYLV's nine UFLS relays had been improperly wired, thereby invalidating the CYLV program results for those relays. The remaining three of the nine relays were found to be correctly wired and programmed, however CYLV had no records to demonstrate the implementation of its UFLS Program. On December 1, 2009, CYLV self-reported that based on the absence of UFLS Program results, it had failed to implement the UFLS program as required by the Standard.

A WECC Subject Matter Expert ("SME") reviewed the Self-Report on December 10, 2009. Based on the Self-Report and information provided by CYLV, the WECC SME concluded that CYLV had a possible violation of the Standard. Specifically, CYLV was unable to verify the implementation of its UFLS Program. The WECC SME forwarded the Self-Report, supporting evidence and the violation review to the WECC Compliance Enforcement Department ("Enforcement") for its consideration.

Enforcement reviewed the WECC SME's findings and the Self-Report, and determined that CYLV had an Alleged Violation of the Standard because it failed to implement a UFLS equipment maintenance and testing program.

CYLV submitted a mitigation plan for this violation on December 1, 2009, with a projected completion date of December 31, 2009. A WECC SME reviewed and approved the mitigation plan on December 10, 2009. On December 11, 2009, CYLV submitted its completed mitigation plan and Certificate of Mitigation Plan Completion Form. As evidence of its compliance, CYLV submitted maintenance and testing records for all of its UFLS equipment. A WECC SME reviewed and approved the completed mitigation plan on December 13, 2009. The actual date of the mitigation plan completion was December 10, 2009.

Thus, CYLV was in violation of this Standard from June 18, 2007 (when the Standard became mandatory) to December 10, 2009 (when CYLV completed its associated mitigation plan).

II. Settlement Terms

A. **Payment.** To settle this matter, CYLV hereby agrees to pay \$3,000 to WECC via wire transfer or cashier's check. CYLV shall make the funds payable to a WECC account identified in a Notice of Payment Due that WECC will send to CYLV upon approval of this Agreement by NERC and the Federal Energy Regulatory Commission ("FERC"). CYLV shall issue the payment to WECC no later than thirty days after receipt of the Notice of Payment Due. If this payment is not timely received, WECC shall assess, and CYLV agrees to pay, an interest charge calculated according to the method set forth at 18 CFR §35.19(a)(2)(iii) beginning on the 31st day following issuance of the Notice of Payment Due.

The terms of this Agreement, including the agreed upon payment, are subject to review and possible revision by NERC and FERC. Upon NERC approval of the

Agreement, NERC will file a Notice of Penalty with FERC. If FERC approves the Agreement, NERC will post the Agreement publicly. If either NERC or FERC rejects the Agreement, then WECC will attempt to negotiate a revised settlement agreement with CYLV that includes any changes to the Agreement specified by NERC or FERC. If the Parties cannot reach a settlement agreement, the CMEP governs the enforcement process.

B. Settlement Rationale. WECC's determination of penalties is guided by the statutory requirement codified at 16 U.S.C. § 824o(e)(6) that any penalty imposed "shall bear a reasonable relation to the seriousness of the violation and shall take into consideration the efforts of [the Registered Entity] to remedy the violation in a timely manner." In addition, WECC considers the direction of the Commission provided in Order No. 693, the NERC Sanction Guidelines, the Commission's Policy Statement on Enforcement, the Commission's July 3, 2008 Guidance Order, the Commission's August 27, 2010 Guidance Order, and all other applicable guidance from NERC and FERC.

To determine a penalty or sanction, WECC considers various factors including, but not limited to: (1) Violation Risk Factor; (2) Violation Severity Level, (3) risk to the reliability of the Bulk Power System ("BPS"), including the seriousness of the violation; (4) Violation Time Horizon (5) the violation's duration; (6) the Registered Entity's compliance history; (7) the Registered Entity's self-reports and voluntary corrective action; (8) the degree and quality of cooperation by the Registered Entity in the audit or investigation process, and in any remedial action; (9) the quality of the Registered Entity's compliance program; (10) any attempt by the Registered Entity to conceal the violation or any related information; (11) whether the violation was intentional; (12) any other relevant information or extenuating circumstances; and (13) the Registered Entity's ability to pay a penalty, as applicable.

The following is the VRF and the reliability impact for the Alleged Violation as determined by WECC:

1. The violation of PRC-008-0 R2 has a "Medium" VRF. This Standard is intended to ensure that all UFLS Systems used in last resort System preservation measures are maintained and tested by implementing an UFLS program. CYLV owns and operates nine relays which are a part of WECC UFLS program. In this situation, CYLV had no records to confirm the implementation of a UFLS program as required by the Standard. A WECC SME determined that during an actual UFLS event, CYLV would have been unable to shed approximately 31 MW of load during a system peak if its equipment failed to perform as expected under its UFLS Program. CYLV's UFLS equipment would be able to shed 43 MW under its UFLS Program if properly maintained. For these reasons, WECC determined that this violation posed a moderate risk to the reliability of the BPS.

In addition, WECC considered that (1) the Alleged Violation addressed by this Agreement is CYLV's first assessed noncompliance with the applicable Reliability

Standard, (2) CYLV mitigated the Alleged Violation, (3) CYLV self-reported the Alleged Violation, and (4) CYLV was cooperative throughout WECC's evaluation of its compliance with the Reliability Standards and the enforcement process.

Finally, there were no aggravating factors warranting a higher payment amount. Specifically, CYLV did not have any negative compliance history. There was no failure by CYLV to comply with applicable compliance directives, nor any evidence of an attempt by CYLV to conceal a violation. Finally, there was no evidence that CYLV's violation was intentional.

III. Additional Terms

A. Authority. The undersigned representative of each party warrants that he or she is authorized to represent and bind the designated party.

B. Representations. The undersigned representative of each party affirms that he or she has read the Agreement, that all matters set forth in the Agreement are true and correct to the best of his or her knowledge, information, or belief, and that he or she understands that the Agreement is entered into by each party in express reliance on the representations set forth herein.

C. Review. Each party agrees that it has had the opportunity to consult with legal counsel regarding the Agreement and to review it carefully. Each party enters the Agreement voluntarily. No presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

D. Entire Agreement. The Agreement represents the entire agreement between the Parties. No tender, offer, or promise of any kind outside the terms of the Agreement by any member, employee, officer, director, agent, or representative of CYLV or WECC has been made to induce the signatories or the Parties to enter into the Agreement. No oral representations shall be considered a part of the Agreement.

E. Effective Date. The Agreement shall become effective upon FERC's approval of the Agreement by order or operation of law.

F. Waiver of Right to Further Proceedings. CYLV agrees that the Agreement, upon approval by NERC and FERC, is a final settlement of all matters set forth herein. CYLV waives its right to further hearings and appeal, unless and only to the extent that CYLV contends that any NERC or FERC action concerning the Agreement contains one or more material modifications to the Agreement.

G. Reservation of Rights. WECC reserves all of its rights to initiate enforcement, penalty or sanction actions against CYLV in accordance with the Agreement, the CMEP and the NERC Rules of Procedure. In the event that CYLV fails to comply with any of the terms of this Agreement, WECC shall have the right to pursue

enforcement, penalty or sanction actions against CYLV up to the maximum penalty allowed by the NERC Rules of Procedure. CYLV shall retain all of its rights to defend against such enforcement actions in accordance with the CMEP and the NERC Rules of Procedure. Failure by WECC to enforce any provision hereof on occasion shall not constitute a waiver by WECC of its enforcement rights or be binding on WECC on any other occasion.

H. Consent. CYLV consents to the use of WECC's determinations, findings, and conclusions set forth in this Agreement for the purpose of assessing the factors, including the factor of determining the company's history of violations, in accordance with the NERC Sanction Guidelines and applicable Commission orders and policy statements. Such use may be in any enforcement action or compliance proceeding undertaken by NERC and/or any Regional Entity; provided, however, that Registered Entity does not consent to the use of the specific acts set forth in this Agreement as the sole basis for any other action or proceeding brought by NERC and/or WECC, nor does CYLV consent to the use of this Agreement by any other party in any other action or proceeding.

I. Amendments. Any amendments to the Agreement shall be in writing. No amendment to the Agreement shall be effective unless it is in writing and executed by the Parties.

J. Successors and Assigns. The Agreement shall be binding on successors or assigns of the Parties.

K. Governing Law. The Agreement shall be governed by and construed under the laws of the State of Utah.

L. Captions. The Agreement's titles, headings and captions are for the purpose of convenience only and in no way define, describe or limit the scope or intent of the Agreement.

M. Counterparts and Facsimiles. The Agreement may be executed in counterparts, in which case each of the counterparts shall be deemed to be an original. Also, the Agreement may be executed via facsimile, in which case a facsimile shall be deemed to be an original.

***[Remainder of page intentionally left blank -
signatures affixed to following page]***

Agreed to and accepted:

WESTERN ELECTRICITY COORDINATING COUNCIL

C. White / 12/1/10
Constance B. White / Date
Vice President of Compliance

CITY OF LOVELAND, COLORADO

William D. Cahill / 11.30.2010
William D. Cahill / Date
City Manager

APPROVED AS TO FORM
BY: Shawn Ellis
ASSISTANT CITY ATTORNEY



ATTEST:
Teressa J. Andrews
CITY CLERK

Attachment b

Disposition Document

DISPOSITION OF VIOLATION¹**Dated June 10, 2011**

NERC TRACKING NO.	REGIONAL ENTITY TRACKING NO.	NOC#
WECC200901755	CYLV_WECC20091948	NOC-739

REGISTERED ENTITY City of Loveland, Colorado (CYLV)	NERC REGISTRY ID NCR05087
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REGIONAL ENTITY
Western Electricity Coordinating Council (WECC)

I. REGISTRATION INFORMATION

ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS (BOTTOM ROW INDICATES REGISTRATION DATE):

BA	DP	GO	GOP	IA	LSE	PA	PSE	RC	RP	RSG	TO	TOP	TP	TSP
	X													
	6/17/2007													

* VIOLATION APPLIES TO SHADED FUNCTIONS

DESCRIPTION OF THE REGISTERED ENTITY

CYLV has a council-manager form of government with a nine member policy making board for the City of Loveland, Colorado. CYLV provides distribution electric service to approximately 32,400 residential, commercial, and industrial customers in northern Colorado. CYLV is a summer peaking area with a system peak load of 135 MW.

II. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
PRC-008-0	2	N/A	Medium	Moderate

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.

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

The purpose statement of PRC-008-0 provides: “Provide last resort system preservation measures by implementing an Underfrequency Load Shedding (UFLS) program.”

PRC-008-0 R2 provides:

The Transmission Owner and Distribution Provider with a UFLS program (as required by its Regional Reliability Organization^[2]) shall implement its UFLS equipment maintenance and testing program and shall provide UFLS maintenance and testing program results to its Regional Reliability Organization and NERC on request (within 30 calendar days).

(Footnote added.)

VIOLATION DESCRIPTION

CYLV submitted a Self-Report on December 1, 2009 reporting that it had failed to implement its Under Frequency Load Shedding program (UFLS program) as required by PRC-008-0 R2. On November 19, 2009 CYLV discovered that its Under Frequency Load Shedding (UFLS) equipment maintenance and testing program had not been properly implemented, and the results were not properly documented as required by the standard. CYLV explains in the Self-Report that, due to recent changes to CYLV’s operations, the UFLS Program work was transferred through a contractual agreement to another entity. The new entity carrying out the UFLS Program discovered that the frequency shedding values on the first two tested relays were input correctly; however, no output for trip was programmed into the relay. Due to this issue, the UFLS equipment would not have shed load as required during a UFLS event. CYLV’s investigation of the settings revealed that six of nine UFLS relays had been improperly wired, thereby invalidating CYLV program results for those relays. Although the remaining three relays were correctly wired and programmed, there were no records to demonstrate the implementation of its UFLS program.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

WECC determined this violation posed moderate risk to the reliability of the BPS because the incorrect configuration of CYLV’s UFLS equipment could have caused CYLV to be unable to shed 31 MW of load during a system peak event. The

² Consistent with applicable FERC precedent, the term ‘Regional Reliability Organization’ in this context refers to WECC.

IV. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.	MIT-07-2182
DATE SUBMITTED TO REGIONAL ENTITY	12/1/09
DATE ACCEPTED BY REGIONAL ENTITY	12/10/09
DATE APPROVED BY NERC	12/18/09
DATE PROVIDED TO FERC	12/18/09

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

MITIGATION PLAN COMPLETED YES NO

EXPECTED COMPLETION DATE	12/31/09
EXTENSIONS GRANTED	
ACTUAL COMPLETION DATE	12/10/09
DATE OF CERTIFICATION LETTER	12/11/09
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF	12/10/09
DATE OF VERIFICATION LETTER	12/18/09
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF	12/10/09

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

CYLV completed its Mitigation Plan which included taking all nine UFLS relays out of service and testing them by the Mitigation Plan completion date. While the relays were being tested, the transmission Power System Operators would have manually shed any additional load as necessary to balance available generation and load. In the future, in addition to following the maintenance and testing program, documentation will be retained and available.

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)

- **CYLV Maintenance and Testing Records**
- **LV UFLS Maintenance and Testing Program V2**
- **UFLS & Bkr. Tripping relays**
- **Loveland-West-912,924**
- **Valley-411,422**
- **Horseshoe-312,313,321,322,323**

V. PENALTY INFORMATION

TOTAL ASSESSED PENALTY OR SANCTION OF \$3,000 FOR ONE VIOLATION OF RELIABILITY STANDARDS.

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

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

YES NO

LIST VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

PREVIOUSLY FILED VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR REQUIREMENTS THEREUNDER

YES NO

LIST VIOLATIONS AND STATUS

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
YES NO UNDETERMINED

EXPLAIN

WECC did not review CYLV's compliance program at the time of the violation.

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.

(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

EXHIBITS:

SOURCE DOCUMENT
CYLV's Self-Report for PRC-008-0 R2 dated December 1, 2009

MITIGATION PLAN
CYLV's Mitigation Plan MIT-07-2182 submitted December 1, 2009

CERTIFICATION BY REGISTERED ENTITY
CYLV's Certification of Mitigation Plan Completion dated December 11, 2009

VERIFICATION BY REGIONAL ENTITY
WECC's Certification of Mitigation Plan Completion Response Letter Dated December 18, 2009

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR
SANCTION ISSUED
DATE: **1/29/10** OR N/A

SETTLEMENT REQUEST DATE
DATE: **6/29/2010** 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 DID NOT CONTEST

HEARING REQUESTED
YES NO

DATE

OUTCOME

APPEAL REQUESTED

Attachment c

**CYLV's Self-Report for PRC-008-0 R2 dated
December 1, 2009**



Self-Reporting Form

Date Submitted by Registered Entity: 12/01/2009

NERC Registry ID: NCR05087

Joint Registration Organization (JRO) ID:

Registered Entity: City of Loveland, Colorado

Registered Entity Contact: Allen Averill

Function(s) Applicable to Self-Report:

- BA TOP TO GO GOP LSE
- DP PSE TSP PA RP TP
- RSG RC IA RRO

Standard: PRC_008-0

Requirement: R2

Has this violation previously been reported or discovered: Yes No
If Yes selected: Provide NERC Violation ID (if known):

Date violation occurred: June 18, 2007

Date violation discovered: Nov. 19, 2009

Is the violation still occurring? Yes No

Detailed explanation and cause of violation: The City of Loveland, Colorado as a registered Distribution Provider owns and operates nine (9) relays which are included as part of a UFLS program consistent with WECC's UFLS program requirements and has a UFLS equipment maintenance and testing program which includes scheduled maintenance and testing of these relays. During the initial implementation of the UFLS equipment maintenance and testing program test results were provided by the City of Loveland Relay Technician indicating five (5) of the nine (9) relays were last tested in 2004 and four (4) of the nine (9) relays were last tested in 2009. The City of Loveland Relay Technician also indicated that maintenance and testing program results were available on request. The five (5) relays last tested in 2004 were scheduled for testing this year in accordance with the City of Loveland Maintenance and Testing program. Due to some organizational changes the testing is now performed through a contractual agreement with another entity. During the testing of the first two scheduled relays it was discovered that the frequency shedding values were input into the underfrequency relays by the City of Loveland Relay Technician, but no output for



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trip was programmed into the relay. Upon this discovery the City of Loveland took immediate action to investigate the settings and maintenance and test records of the remaining seven (7) relays and discovered that six (6) of the nine (9) relays were incorrectly programmed or wired leading to the conclusion that UFLS maintenance and testing program results are not available. The remaining three (3) of nine (9) relays were wired and programmed correctly however, hard copies of the UFLS maintenance and testing program results could not be located and the laptop used for testing these relays in 2007 experienced a hard disk failure. Therefore, due to the aforementioned events, the City of Loveland, Colorado is not be able to provided UFLS maintenance and testing program results to WECC and NERC on request as required by PRC-008-0 R2.

Potential Impact to the Bulk Power System (minimal, moderate, or severe): minimal

Detailed explanation of Potential Impact: All nine (9) relays are projected to shed 47 MW of load during system peak or 24% of the entire Underfrequency Load Shedding Plan. The City of Loveland projects that it would not have been able to shed approximately 31 MW of load if an UFLS event had occurred during system peak during the time when the relays were incorrectly programmed.

Additional Comments: Refer to the Mitigation Plan Submittal Form for proposed mitigation plan information and timelines.

***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.)*

Attachment d

**CYLV's Mitigation Plan MIT-07-2182 submitted
December 1, 2009**



Mitigation Plan Submittal Form

New or Revised

Date this Mitigation Plan is being submitted: 12/1/2009

If this Mitigation Plan has already been completed:

- Check this box and
- Provide the Date of Completion of the Mitigation Plan:

Section A: Compliance Notices & Mitigation Plan Requirements

- A.1 Notices and requirements applicable to Mitigation Plans and this Submittal Form are set forth in "Appendix A - Compliance Notices & Mitigation Plan Requirements" to this form. **Review Appendix A and check this box to indicate that you have reviewed and understand the information provided therein.** This Submittal Form and the Mitigation Plan submitted herein are incomplete and cannot be accepted unless the box is checked.

Section B: Registered Entity Information

- B.1 Identify your organization:

Registered Entity Name: City of Loveland, Colorado
 Registered Entity Address: 200 N Wilson Ave, Loveland CO 80537
 NERC Compliance Registry ID: NCR05087

- B.2 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan. Please see Section 6.2 of the WECC Compliance Monitoring and Enforcement Program (CMEP) for a description of the qualifications required of the Entity Contact.¹

Name: Allen Averill
 Title: Electric Engineer
 Email: averia@ci.loveland.co.us
 Phone: 970-962-3557

¹ A copy of the WECC CMEP is posted on WECC's website at:

<http://compliance.wecc.biz/Application/Documents/Home/20090101%20-%20CMEP.pdf>

Registered Entities are responsible for following all applicable WECC CMEP procedures. WECC strongly recommends that registered entities become familiar with the WECC CMEP and its requirements, as they may be amended from time to time.



Section C: Identity of Alleged or Confirmed Reliability Standard Violations Associated with this Mitigation Plan

This Mitigation Plan is associated with the alleged or confirmed violation(s) of the reliability standard/requirements listed below:

C.1 Standard: PRC-008-0
[Identify by Standard Acronym (e.g. FAC-001-1)]

C.2 Requirement(s) violated and violation dates:
[Enter information in the following Table]

NERC Violation ID # [if known]	WECC Violation ID # [if known]	Requirement Violated (e.g. R3)	Violation Risk Factor	Alleged or confirmed Violation Date ^(*) (MM/DD/YY)	Method of Detection (e.g. audit, self-report, investigation)
		R2	Medium	11/19/09	Self - Report

(*) Note: The Alleged or Confirmed Violation Date shall be: (i) the date the violation occurred; (ii) the date that the violation was self-reported; or (iii) the date upon which WECC has deemed the violation to have occurred. Please contact WECC if you have questions regarding which date to use .

C.3 Identify the cause of the alleged or confirmed violation(s) identified above:

The City of Loveland, Colorado as a registered Distribution Provider owns and operates nine (9) relays which are included as part of a UFLS program consistent with WECC's UFLS program requirements and has a UFLS equipment maintenance and testing program which includes scheduled maintenance and testing of these relays. During the initial implementation of the UFLS equipment maintenance and testing program test results were provided by the City of Loveland Relay Technician indicating five (5) of the nine (9) relays were last tested in 2004 and four (4) of the nine (9) relays were last tested in 2009. The City of Loveland Relay Technician also indicated that maintenance and testing program results were available on request. The five (5) relays last



tested in 2004 were scheduled for testing this year in accordance with the City of Loveland Maintenance and Testing program. Due to some organizational changes the testing is now performed through a contractual agreement with another entity. During the testing of the first two scheduled relays it was discovered that the frequency shedding values were input into the underfrequency relays by the City of Loveland Relay Technician, but no output for trip was programmed into the relay. Upon this discovery the City of Loveland took immediate action to investigate the settings and maintenance and test records of the remaining seven (7) relays and discovered that six (6) of the nine (9) relays were incorrectly programmed or wired leading to the conclusion that UFLS maintenance and testing program results are not available. The remaining three (3) of nine (9) relays were wired and programmed correctly however, hard copies of the UFLS maintenance and testing program results could not be located and the laptop used for testing these relays in 2007 experience a hard disk failure. Therefore, due to the aforementioned events, the City of Loveland, Colorado is not be able to provided UFLS maintenance and testing program results to WECC and NERC on request as required by PRC-008-0 R2.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

- C.4 **[Optional]** Provide any relevant additional information regarding the alleged or confirmed violations associated with this Mitigation Plan:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

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 violations identified above in Part C.2 of this form:

All nine (9) UFLS relays will be taken out of service and tested by December 31, 2009.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]



Check this box and proceed to Section E of this form if this Mitigation Plan, as set forth in Part D.1, has already been completed; otherwise respond to Part D.2, D.3 and, optionally, Part D.4, below.

Mitigation Plan Timeline and Milestones

D.2 Provide the 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 violations associated with this Mitigation Plan corrected: We have completed testing on two (2) of the nine (9) UFLS relays and will test the remaining seven (7) relays by December 31, 2009.

D.3 Enter Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

Milestone Activity	Proposed Completion Date* (milestones cannot be more than 3 months apart)
Completed Mitigation Plan submitted to WECC	12/31/09

(* Note: Implementation milestones should be no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. As set forth in CMEP section 6.6, adverse consequences could result from failure to complete, on a timely basis, all required actions in this Mitigation Plan, including implementation of milestones. A request for an extension of the completion date of any milestone or of the Mitigation Plan must be received by WECC at least five (5) business days before the relevant milestone or completion date.

[Note: Provide your response here; additional detailed information may be provided as an attachment as necessary]

Additional Relevant Information (Optional)

D.4 If you have any relevant additional information that you wish to include regarding the Mitigation Plan, milestones, milestones dates and completion date proposed above you may include it here:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]



Western Electricity Coordinating Council



Section E: Interim and Future Reliability Risk

Check this box and proceed and respond to Part E.2, below, if this Mitigation Plan, as set forth in Part D.1, has already been completed.

Abatement of Interim BPS Reliability Risk

- E.1 While your organization is implementing the Mitigation Plan proposed in Part D of this form, the reliability of the Bulk Power System may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are known, reasonably suspected or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take or is proposing as part of the Mitigation Plan to mitigate any increased risk to the reliability of the bulk power system while the Mitigation Plan is being implemented:

At the close of business today (12/01/09) we project that approximately 3.5 MW of load might not be shed if an UFLS event were to occur. The transmission Power System Operators will manually shed any additional load as necessary to balance available generation and load. [Provide your response here; additional detailed information may be provided as an attachment as necessary]

Prevention of Future BPS Reliability Risk

- E.2 Describe how successful completion of the Mitigation Plan as laid out in Part D of this form will prevent or minimize the probability that your organization will incur further violations of the same or similar reliability standards requirements in the future:

Once the relays are tested, documentation will be retained and available and the maintenance and testing program will be followed moving forward.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

- E.3 Your organization may be taking or planning other action, beyond that listed in the Mitigation Plan, as proposed in Part D.1, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements listed in Part C.2, or of other reliability standards. If so, identify and describe any such action, including milestones and completion dates:



Western Electricity Coordinating Council



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 the Mitigation Plan, as laid out in Section D of this form, to WECC for acceptance by WECC and approval by NERC, and
- b) If applicable, certifies that the Mitigation Plan, as laid out in Section D of this form, was completed (i) as laid out in Section D of this form and (ii) on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- c) Acknowledges:
 - 1. I am Director of Water and Power of City of Loveland, Colorado].
 - 2. I am an officer, employee, attorney or other person authorized to sign this Mitigation Plan on behalf of City of Loveland, Colorado.
 - 3. I understand City of Loveland, Colorado obligations to comply with Mitigation Plan requirements and WECC or ERO remedial action directives and I have reviewed the WECC and ERO documents related to these obligations, including, but not limited to, the WECC CMEP and the NERC Rules of Procedure.
 - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
 - 5. City of Loveland, Colorado agrees to be bound by, and comply with, the Mitigation Plan, including the timetable completion date, as approved by WECC and approved by NERC.

Authorized Signature: 
(Electronic signatures are acceptable; see CMEP Section 3.0)

Name (Print):Ralph Mullinix
Title: Director of Water and Power
Date: December 1, 2009



Western Electricity Coordinating Council



Section G: Comments and Additional Information

You may use this area to provide comments or any additional relevant information not previously addressed in this form.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Section H: WECC Contact and Instructions for Submission

Please direct any questions regarding completion of this form to:

Mike Wells, Sr. Compliance Engineer

Email: mike@wecc.biz

Phone: (801) 883-6884

For guidance on submitting this form, please refer to the "*WECC Compliance Data Submittal Policy*". This policy can be found on the WECC Compliance Website at:

<http://compliance.wecc.biz/Application/Documents/Forms/WECC%20Compliance%20Data%20Submittal%20Policy.pdf>

Attachment e

**CYLV's Certification of Mitigation Plan
Completion dated December 11, 2009**



Non-Public and CONFIDENTIAL

Certification of Mitigation Plan Completion Form

Submittal of a Certification of Mitigation Plan Completion shall include data or information sufficient for Western Electricity Coordinating Council (WECC) to verify completion of the Mitigation Plan. WECC 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: City of Loveland, Colorado

NERC Registry ID: NCR05087

Date of Submittal of Certification: December 11, 2009

NERC Violation ID No(s) (if known):

Standard: PRC-008-0

Requirement(s): R2

**Date Mitigation Plan was scheduled to be completed per accepted Mitigation Plan:
December 31, 2009**

Date Mitigation Plan was actually completed: December 10, 2009

Additional Comments (or List of Documents Attached):

LV UFLS Maintenance and Testing Program V2

UFLS & Bkr. Tripping relays

Loveland-West-912,924

Valley-411,422

Horseshoe-312,313,321,322,323

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: Ralph Mullinix

Title: Director of Water and Power

Email: mullir@ci.loveland.co.us

Phone: 970-962-3704



Western Electricity Coordinating Council

Non-Public and CONFIDENTIAL

Authorized Signature: 

Date: December 11, 2009

Attachment f

WECC's Verification of Mitigation Plan Completion dated December 18 2009

CONFIDENTIAL



Western Electricity Coordinating Council

Laura Scholl
Managing Director of Compliance

801-819-7619
lscholl@wecc.biz

VIA COMPLIANCE WEB PORTAL

December 18, 2009

Allen Averill
Electrical Engineer
City of Loveland, Colorado
200 N. Wilson Avenue
Loveland, Colorado 80537

NERC Registration ID: NCR05087

Subject: Certification of Completion Response Letter

Dear Allen,

The Western Electricity Coordinating Council (WECC) received the Certification of Completion and supporting evidence of City of Loveland, Colorado (CYLV) on 12/11/2009 for the alleged violation of Reliability Standard PRC-008-0 Requirement 2.

WECC has accepted the Certification of Completion for Requirement 2 of the Reliability Standard PRC-008-0 and has found this requirement to be fully mitigated. No further mitigation of this requirement will be required at this time.

If you have any questions or concerns, please contact Phil O'Donnell at podonnell@wecc.biz. Thank you for your assistance in this effort.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura Scholl', written in a cursive style.

Laura Scholl
Managing Director of Compliance

LS:rh

cc: Deborah Schaneman, CYLV Reliability Compliance Officer
Lisa Milanese, WECC Manager of Compliance Program Administration
Phil O'Donnell, WECC Senior Compliance Engineer

Attachment g

Notice of Filing

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

City of Loveland, Colorado

Docket No. NP11-____-000

NOTICE OF FILING
June 29, 2011

Take notice that on June 29, 2011, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding City of Loveland, Colorado in the Western Electricity 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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,
Secretary