



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

February 1, 2010

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

**Re: NERC Notice of Penalty regarding Farmington Electric Utility System
FERC Docket No. NP10-_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Notice of Penalty¹ regarding Farmington Electric Utility System (FEUS),² NERC Registry ID# NCR05155,³ 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)).⁴

On June 9, 2009, FEUS self-reported to the Western Electricity Coordinating Council (WECC) its non-compliance with PRC-017-0 Requirement (R) 1, specifically R1.6, for its failure to perform annual maintenance and testing on the Glade Remedial Action Scheme (Glade RAS), which is an element of the Northeast/Southeast (NE/SE) RAS. This Notice of Penalty is being filed with the Commission because, based on information from WECC, FEUS does not dispute the violation of PRC-017-0 R1.6 and the proposed fifteen thousand dollar (\$15,000) financial penalty to be assessed to FEUS. Accordingly, the violation identified as NERC Violation

¹ *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 (2008). *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).

² Also concurrently being filed is a Notice of Penalty designated as NOC-234 regarding a separate Settlement Agreement between Western Electricity Coordinating Council and FEUS, in which FEUS stipulates to the facts presented and agrees to the proposed forty thousand-two hundred fifty dollar (\$40,250) financial penalty to be assessed to FEUS.

³ Western Electricity Coordinating Council confirmed that FEUS was included on the NERC Compliance Registry as a Load Serving Entity, Distribution Provider, Transmission Owner, Resource Planner, Transmission Operator, Purchasing-Selling Entity, Generator Operator, and Generator Owner on June 17, 2007. As a Transmission Owner, Generator Owner, and Distribution Provider, FEUS was subject to the requirements of NERC Reliability Standard PRC-017-0.

⁴ *See* 18 C.F.R. § 39.7(c)(2).

Tracking Identification Numbers WECC200901440 is a Confirmed Violation, as that term is defined in the NERC Rules of Procedure and the CMEP.

Statement of Findings Underlying the Alleged Violation

This Notice of Penalty incorporates the findings and justifications set forth in the Notice of Confirmed Violation and Proposed Penalty or Sanction (NOCV) issued by WECC on October 23, 2009. The details of the findings and basis for the penalty are set forth herein. This Notice of Penalty filing contains the basis for approval of this Notice of Penalty 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 (2007), NERC provides the following summary table identifying each Reliability Standard at issue in this Notice of Penalty.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty (\$)
WECC	Farmington Electric Utility System	NOC-401	WECC200901440	PRC-017-0	1.6	Medium ⁵	15,000

The purpose of Reliability Standard PRC-017-0 is to ensure that all Special Protection Systems (SPS) are properly designed, meet performance requirements, and are coordinated with other protection systems. The Reliability Standard is also to ensure that maintenance and testing programs are developed and misoperations are analyzed and corrected.

PRC-017-0 R1 requires the Transmission Owner, Generator Owner, and Distribution Provider, such as FEUS, that owns an SPS to have a system maintenance and testing program(s) in place. The program(s) shall include:

R1.1) SPS identification shall include but is not limited to:

R1.1.1) Relays;

R1.1.2) Instrument transformers;

R1.1.3) Communications systems, where appropriate; and

R1.1.4) Batteries.

R1.2) Documentation of maintenance and testing intervals and their basis.

R1.3) Summary of testing procedure.

R1.4) Schedule for system testing.

R1.5) Schedule for system maintenance.

R1.6) Date last tested/maintained.

PRC-017-0 R1.6 has a "Medium" Violation Risk Factor (VRF).

On June 9, 2009, FEUS self-reported that a breakdown in the notification process caused FEUS relay technicians not to be present for the 2008 NE/SE RAS system test. Annual maintenance tests, typically performed during and after system tests, were not done. Consequently, FEUS did

⁵ Reliability Standard PRC-017-0 R1 is assigned a "High" Violation Risk Factor (VRF), along with all of its sub-requirements except R1.6, which was assigned a "Medium" VRF.

not have 2008 maintenance and testing record dates for the Glade RAS as needed for compliance with PRC-017-0 R1.6.

On June 16, 2009, WECC subject matter experts reviewed FEUS's self-report and determined that FEUS had a possible violation of PRC-017-0 R1.6 because it did not have records of 2008 tests of the Glade RAS receiver equipment. WECC Enforcement reviewed the findings and concluded that FEUS violated this Standard because it had failed to annually test and maintain up to 25% of its SPS equipment in 2008. WECC Enforcement determined that the duration of the violation was from January 1, 2008, the beginning date of the maintenance and testing period for which records were missing, until September 21, 2009, when the Mitigation Plan was completed.

Regional Entity's Basis for Penalty

The Glade RAS is an element of the NE/SE RAS, which is critical to the reliability of the Western Interconnection and is monitored via FEUS' Supervisory Control and Data Acquisition (SCADA) system. FEUS stated that there have been no SCADA alarms indicating Glade RAS receiver failures and that the integrity of the Glade RAS is not in question as a result of FEUS' violation of this Standard. For these reasons, WECC determined that this violation did not create a serious or substantial risk to the reliability of the bulk power system.

This violation is FEUS' second assessed violation of PRC-017-0 R1.⁶ FEUS previously self-reported a violation of this Standard on January 8, 2008 because it did not have summary procedures for battery testing as specified in R1.3 of this Standard, nor a schedule for system maintenance as specified in R1.5.

WECC determined that a penalty of fifteen thousand dollars (\$15,000) was appropriate for the referenced violation. In reaching this determination, WECC considered the following factors: (1) the violation was self-reported; (2) the violation stipulated herein is FEUS' second violation of the NERC Reliability Standard; (3) there was no evidence of any attempt by FEUS to conceal the violation; (4) FEUS was cooperative during the enforcement process; and (5) the violation did not put the reliability of the bulk power system at serious or substantial risk as discussed above.

Status of Mitigation Plan⁷

FEUS submitted to WECC a Mitigation Plan to address PRC-017-0 R1.6 on June 11, 2009. This Mitigation Plan originally had an expected completion date of September 11, 2009, which was later extended. The Mitigation Plan was accepted by WECC on June 16, 2009 and approved by NERC on June 30, 2009. The Mitigation Plan was designated MIT-09-1777 and was submitted as non-public information to FERC on June 30, 2009 in accordance with FERC orders.

⁶ WECC is addressing FEUS' first violation of R1 in a separate Notice of Penalty that is being concurrently submitted with the instant filing.

⁷ See 18 C.F.R. § 39.7(d)(7).

The Mitigation Plan required FEUS to:

- 1) Test the Glad RAS equipment and perform routine maintenance as soon as possible to check that the equipment is functional.
- 2) In addition, FEUS would be required to work with Arizona Public Service Company (APS) to modify existing notification procedures to ensure that FEUS receives notification of NE/SE RAS testing. Further, FEUS was required to replace the existing notification process with a broadcast notification to all participating entities to ensure that no group of participants fails to receive notice of the test and that there is no recurrence of this situation. This effort will require modifying the existing procedures to include e-mail notification to FEUS operations and relay personnel in addition to the present practice of utilizing the WECC message board.

On September 4, 2009, FEUS submitted a revised Mitigation Plan with an extension request, proposing a new estimated completion date of November 30, 2009.⁸ The extension request was needed because the APS technician managing the test went on vacation without forwarding a copy of the completed test form to FEUS and, without the APS technician available, FEUS was unable to reschedule the test before the September 11, 2009 Mitigation Plan completion date. WECC reviewed and accepted the extension request and revised Mitigation Plan on September 8, 2009.

The revised Mitigation Plan required FEUS to take the following actions: (1) obtain a copy of the completed test form from APS;⁹ (2) schedule and complete the annual maintenance test on FEUS equipment, which coincided with the 2009 annual test of the RAS and FEUS scheduled maintenance that are typically performed in October of each year; and (3) submit the completed maintenance forms and revised test procedures to WECC.

FEUS certified completion of this Mitigation Plan on October 13, 2009, confirming that it was completed on September 21, 2009. To demonstrate completion of the Mitigation Plan, FEUS provided WECC with a copy of its revised test procedures, *Test Procedures Number 533* dated September 3, 2009, reporting testing as performed by APS and containing revisions made to scheduling of tests regarding notification to FEUS personnel. FEUS also provided test records, *Special Protection Systems Action* dated September 3, 2009, documenting the RAS test results observed by FEUS relay technicians at Glade during the APS testing. This testing included tripping of the line breakers. Finally, FEUS provided testing records, *Special Protection Systems Action* dated September 21, 2009, documenting the maintenance tests (single levels) performed by FEUS relay technicians at Glade. Key FEUS personnel in the areas of operations, technical services, and engineering, each now have the capability and the authority to implement the testing process.

⁸ The Mitigation Plan extension request incorrectly states that the Mitigation Plan was originally accepted on June 11, 2009.

⁹ APS is another entity that is responsible for testing of the NE/SE RAS. APS was managing the testing of this RAS. According to WECC subject matter experts, RAS testing needs to be coordinated among all the entity's because these RASs involve the facilities of multiple entities. FEUS could not do its part of the RAS testing without the APS test technician. FEUS needed the form because it needed to know what steps APS had already taken and the results, so it could complete its portion of the test.

On October 15, 2009, after its review of FEUS' submitted evidence, WECC verified that FEUS had completed its Mitigation Plan on September 21, 2009 and notified FEUS on November 10, 2009 that it was compliant with PRC-017-0 R1.6.

Statement Describing the Proposed Penalty, Sanction or Enforcement Action Imposed¹⁰

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 Guidance Order,¹¹ the NERC BOTCC reviewed the NOCV and supporting documentation on December 9, 2009. The NERC BOTCC approved WECC's imposition of a financial penalty of fifteen thousand dollars (\$15,000) against FEUS. In approving the sanction, the NERC BOTCC reviewed the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the alleged violation at issue.

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

- (1) the violation was self-reported;
- (2) this violation is FEUS' second assessed violation of PRC-017-0 R1;
- (3) WECC reported that FEUS was cooperative throughout the enforcement process;
- (4) WECC reported there was no evidence of intent or any attempt to conceal the violation; and
- (5) WECC determined that this violation did not create a serious or substantial risk to the reliability of the bulk power system as discussed above.

For the foregoing reasons, the NERC BOTCC believes that the proposed penalty of fifteen thousand dollars (\$15,000) is appropriate for the violation and circumstances in question, and consistent with NERC's goal to promote and ensure reliability of the bulk power system.

Pursuant to Order No. 693, the penalty will be effective upon expiration of the 30-day period following the filing of this Notice of Penalty with FERC or, if FERC decides to review the penalty, upon final determination by FERC.

¹⁰ See 18 C.F.R. § 39.7(d)(4).

¹¹ *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008).

Attachments to be included as Part of this Notice of Penalty

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

- a) FEUS Self-Report dated June 9, 2009, included as Attachment a;
- b) FEUS' response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated October 15, 2009, included as Attachment b;
- c) FEUS' Mitigation Plan designated as MIT-09-1777 for PRC-017-0 R1.6 submitted June 11, 2009, included as Attachment c;
- d) FEUS' Revised Mitigation Plan for PRC-017-0 R1.6 submitted September 4, 2009, included as Attachment d;
- e) FEUS' Certification of Completion of the Mitigation Plan for PRC-017-0 R1.6 submitted October 13, 2009, included as Attachment e; and
- f) WECC's Verification of Completion of the Mitigation Plan for the alleged violation of PRC-017-0 R1.6 dated November 10, 2009, included as Attachment f.

A Form of Notice Suitable for Publication¹²

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

¹² See 18 C.F.R § 39.7(d)(6).

Notices and Communications

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

<p>Gerald W. Cauley* President and Chief Executive Officer David N. Cook* Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, N.J. 08540-5721 (609) 452-8060 (609) 452-9550 – facsimile gerry.cauley@nerc.net david.cook@nerc.net</p> <p>Farmington Electric Utility System 101 North Browning Parkway Farmington, NM 87401 (505) 599-8323 – facsimile</p> <p>Linda Jacobson* Compliance Officer (505) 599-1163 ljacobson@fmtn.org</p> <p>Maude Grantham-Richards* Electric Utility Director (505) 599-1165 MaudeGR@fmtn.org</p> <p>*Persons to be included on the Commission's service list are indicated with an asterisk. NERC requests waiver of the Commission's rules and regulations to permit the inclusion of more than two people on the service list.</p>	<p>Rebecca J. Michael* Assistant General Counsel Holly A. Hawkins* Attorney North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, D.C. 20005-3801 (202) 393-3998 (202) 393-3955 – facsimile rebecca.michael@nerc.net holly.hawkins@nerc.net</p> <p>Western Electricity Coordinating Council 615 Arapeen Drive, Suite 210 Salt Lake City, UT 84108-1262</p> <p>Louise McCarren* Chief Executive Officer (801) 883-6868 (801) 582-3918 – facsimile Louise@wecc.biz</p> <p>Constance White* Vice President of Compliance (801) 883-6885 (801) 883-6894 – facsimile CWhite@wecc.biz</p> <p>Steven Goodwill* Associate General Counsel (801) 883-6857 (801) 883-6894 – facsimile SGoodwill@wecc.biz</p> <p>Christopher Luras* Manager of Compliance Enforcement (801) 883-6887 (801) 883-6894 – facsimile CLuras@wecc.biz</p>
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Conclusion

NERC respectfully requests that the Commission accept this Notice of Penalty as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley
President and Chief Executive Officer
David N. Cook
Vice President and General Counsel
North American Electric Reliability Corporation
116-390 Village Boulevard
Princeton, N.J. 08540-5721
(609) 452-8060
(609) 452-9550 – facsimile
gerry.cauley@nerc.net
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/s/ Rebecca J. Michael
Rebecca J. Michael
Assistant General Counsel
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rebecca.michael@nerc.net
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cc: Farmington Electric Utility System
Western Electricity Coordinating Council

Attachments

Attachment a

FEUS Self-Report dated June 9, 2009



Western Electricity Coordinating Council

Self-Reporting Form

Date Submitted by Registered Entity: 6/9/09

NERC Registry ID: NCR 05155

Joint Registration Organization (JRO) ID:

Registered Entity: Farmington Electric Utility System

Registered Entity Contact: John Chambers

Function(s) Applicable to Self-Report:

<input type="checkbox"/> BA	<input type="checkbox"/> TOP	<input checked="" type="checkbox"/> TO	<input checked="" type="checkbox"/> GO	<input type="checkbox"/> GOP	<input type="checkbox"/> LSE
<input checked="" type="checkbox"/> DP	<input type="checkbox"/> PSE	<input type="checkbox"/> TSP	<input type="checkbox"/> PA	<input type="checkbox"/> RP	<input type="checkbox"/> TP
<input type="checkbox"/> RSG	<input type="checkbox"/> RC	<input type="checkbox"/> IA	<input type="checkbox"/> RRO		

Standard: PRC-0017-0

Requirement: R1.6

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

Date violation occurred: January 1, 2009

Date violation discovered: January 12, 2009 suspected; March 7, 2009 confirmed

Is the violation still occurring? ☒ Yes ☐ No

Detailed explanation and cause of violation: There was a breakdown in the notification process for the annual test. FEUS technicians were not present for 2008 annual RAS test.

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

Detailed explanation of Potential Impact: SCADA system alarm records indicate no RAS receiver failures.

Additional Comments:

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



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encouraged. Submission of a mitigation plan shall not be deemed an admission of a violation. (See NEPC Rules of Procedure, Appendix 4C, Section 6.4.)

Western Electricity Coordinating Council

Attachment b

FEUS' response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated October 15, 2009



**CITY OF FARMINGTON, NEW MEXICO
ELECTRIC ADMINISTRATION**

101 N Browning Parkway
Farmington, NM 87401
(505) 599-1160
Fax (505) 599-8323

Constance White
Vice President of Compliance
Western Electricity Coordinating Council
615 Arapeen Drive Suite 210
Salt Lake City, Utah 84108

Date: October 15, 2009

Subject: Alleged Violation and Proposed Penalty or Sanction

Dear Constance White,

Farmington Electric Utility System has reviewed and elected to agree with the Notice of Alleged Violation and Proposed Penalty or Sanction identified by NERC violation identification tracking number WECC200901440 and WECC tracking identification number FEUS_WECC20091612. FEUS does not wish to contest the violation or the proposed penalty.

Farmington Electric Utility System submitted a mitigation plan on June 11, 2009. FEUS subsequently completed mitigation of the violation on September 21, 2009. All applicable forms and evidence have been submitted to the WECC portal.

In the spirit of reliability and safety, Farmington Electric Utility System strives to maintain compliance and will make a concerted effort to minimize future violations.

Respectfully,

A handwritten signature in blue ink that reads "Steve Henson".

Steve Henson
System Operations Manager
(505) 599-8331

Attachment c

FEUS' Mitigation Plan designated as MIT-09-1777 for PRC-017-0 R1.6 submitted June 11, 2009



Mitigation Plan Submittal Form

New ☒ or Revised ☐

Date of submittal: 6/11/09

If this Mitigation Plan is complete:

- Check this box ☐
- Provide the Date of the Mitigation Plan Completion:
- In order for the Mitigation Plan to be accepted for review the following items must be submitted along with this Mitigation Plan Submittal Form:
 - Evidence supporting full compliance
 - Sections A, B, C, D.1, E.2, E.3, and F must be completed in their entirety

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. **Review Attachment 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: Farmington Electric Utility System
Registered Entity Address: 101 N. Browning Parkway
NERC Compliance Registry ID: NCR 05155

- 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

¹ A copy of the WECC CMEP is posted on WECC's website at [http://compliance.wecc.biz/Documents/Forms/03.06%20-%20WECC%20Mitigaton%20Plan%](http://compliance.wecc.biz/Documents/Forms/03.06%20-%20WECC%20Mitigaton%20Plan%20)
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.



Name: Maude Grantham-Richards
 Title: Feus Utility Director
 Email: maudegr@fmtn.org
 Phone: 505-599-1165

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-017-0
[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)
		R1.6	MEDIUM	03/07/09	Self- evaluation

(*) 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:

A breakdown in the notification process caused FEUS relay technicians not to be present during the 2008 NE/SE RAS system testing. Annual maintenance tests, typically performed during and after system tests, were not done. FEUS does not have records of 2008 tests of the Glade RAS receiver equipment to satisfy the requirement R1.6.



[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:

As we reported in the Self-Reporting Form, FEUS first suspected a violation on 01/12/09, shortly after completing its annual self-evaluation. Conflicting information concerning the test required investigation of all parties involved. The final piece of information was received on 03/07/09 and it confirmed the violation.

[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:

Mitigation is divided into two parts. The first part is to test the Glade RAS equipment and perform routine maintenance as soon as possible to check that the equipment is functional (FEUS SCADA monitoring indicates that it has been). This will provide test documentation for the file, although nothing can replace the missed 2008 test. The second part consists of working with Arizona Public Service Company and FEUS to modify the existing test procedure to eliminate the series of notification steps, where each step is dependent on the group receiving the information to forward it to the next group, and replace them with a broadcast of notification to all of the various groups involved to insure that no group of participants is left out of the test and that there is no recurrence of this situation. Specifically this will require modifying existing procedures to include notification of FEUS operations and relay personnel by email in addition to present practice of utilizing the WECC message board.

[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



Western Electricity Coordinating Council



- 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: The completion date shall be three months from submittal of this mitigation plan.
- 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)
None required	

(*) 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]



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:

FEUS believes there is no additional risk imposed upon the BES during the mitigation process. The time period of three months has been selected primarily to allow for unforeseen delays during the review of proposed changes to the notification portion of the test procedure. It is anticipated that the actual test of the equipment can be completed within a few weeks. [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 has or will prevent or minimize the probability that your organization will incur further violations of the same or similar reliability standards requirements in the future:

Successful completion of the Mitigation Plan will allow simultaneous notification of key FEUS personnel in the areas of operations, technical services, and engineering, each with the capability and the authority to implement the process and carry it out to completion. [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



Western Electricity Coordinating Council



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:

FEUS has additional, future plans that are not part of this mitigation plan, but are plans which FEUS feels will improve testing of the RAS scheme. These include replacement of communications equipment, simplification of design, and improving SCADA for increased remote monitoring of tests. The upgrade of equipment will require changes in the existing design which will require a WECC review, according to the requirements for RAS upgrades. A timetable has not been established at this time. [Provide your response here; additional detailed information may be provided as an attachment as necessary]



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 the Electric Utility Director of Farmington Electric Utility System.
 2. I am an officer, employee, attorney or other person authorized to sign this Mitigation Plan on behalf of Farmington Electric Utility System.
 3. I understand Farmington Electric Utility System's 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. Farmington Electric Utility system 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): Maude Grantham-Richards
Title: FEUS Utility Director
Date: June 11, 2009



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 Compliance Manuals website as Manual 2.12:

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



Attachment A – Compliance Notices & Mitigation Plan Requirements

- I. Section 6.2 of the WECC CMEP 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.
 - (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 may be used to provide a required Mitigation Plan for review and approval by WECC and NERC.



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- III. The Mitigation Plan shall be submitted to the WECC and NERC as confidential information in accordance with Section 9.3 of the WECC CMEP and Section 1500 of the NERC Rules of Procedure.
- IV. This Mitigation Plan 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 violations with respect to each additional Reliability Standard, as applicable.
- V. If the Mitigation Plan is approved by WECC and NERC, a copy of the Mitigation Plan will be provided to the Federal Energy Regulatory Commission in accordance with applicable Commission rules, regulations and orders.
- VI. Either WECC or NERC may reject a Mitigation Plan that it determines to be incomplete or inadequate. If the Mitigation Plan is rejected by either WECC or NERC, the Registered Entity will be notified and required to submit a revised Mitigation Plan.
- VII. In accordance with Section 7.0 of the WECC CMEP, remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

Attachment d

FEUS' Revised Mitigation Plan for PRC-017-0 R1.6 submitted September 4, 2009



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Mitigation Plan Extension Request Form

Section A: Registered Entity Information

Company Name: Farmington Electric Utility System

Standard: PRC-017-0

[Identify by Standard Acronym (e.g. FAC-001-1)]

Requirement Number(s): R1.6

[Identify by Sub-Requirements (e.g. R1.1, R1.2)]

Date original Mitigation Plan was accepted: June 11, 2009

Date original Mitigation Plan was scheduled to be complete: September 11, 2009

Date this request is being submitted: September 4, 2009

Section B: Extension Request Requirements

Check this box ☒ to indicate that you understand that this Extension Request is incomplete and cannot be reviewed for approval unless a Revised Mitigation Plan is attached.

Identify the reason an extension is being requested:

Part of the Mitigation Plan is incomplete.

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

Provide detailed information as to why the original completion date will not be met:

The FEUS mitigation plan consisted of two parts. The first part was to test the RAS and perform annual routine maintenance on the FEUS equipment at Glade. The RAS test was completed successfully on 09/03/09. The RAS is fully operational. However, the APS technician managing the test has left for vacation without forwarding a copy of the completed test form to FEUS. The FEUS annual maintenance procedures were not performed due to a confusing internal email. Without the APS technician available it is unlikely we will be able to reschedule the test before the deadline.



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The second portion of the mitigation plan involved modifying the RAS test procedure to improve communication between APS and FEUS. This part has been completed.

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



Mitigation Plan Submittal Form

New ☐ or Revised ☒

Date this Mitigation Plan is being submitted: September 4, 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: Farmington Electric Utility System
Registered Entity Address: 101 N. Browning Parkway
NERC Compliance Registry ID: NCR 05155

- 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: John Chambers
Title: System Protection Engineer
Email: jchambers@fmtn.org
Phone: 505-599-8302

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-017-0
[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)
		R1.6	Medium	03/07/09	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:

A breakdown in the notification process caused FEUS relay technicians not to be present during the 2008 NE/SE RAS system testing. Annual maintenance tests, typically performed during and after system tests, were not done. FEUS does not have records of 2008 tests of the Glade RAS receiver equipment to satisfy the requirement R1.6.

[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:



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[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:

The action plan consists of three steps to complete the mitigation. (1) Obtain a copy of the the completed test form from APS. (2) Schedule and complete the annual maintenance test on FEUS equipment. This will coincide with the 2009 annual test of the RAS and FEUS scheduled maintenance. The tests are typically performed in October of each year. (3) submit the completed maintenance forms and revised test procedure to WECC.

[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:
- 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)
None Required	November 30, 2009



(*) 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]



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:

FEUS believes there is no additional risk imposed upon the BES during the mitigation process. The RAS has been tested (including the circuit breakers) and found to fully operational.
[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:

Successful completion of the Mitigation Plan will allow simultaneous notification of key FEUS personnel in the areas of operations, technical services, and engineering, each with the capability and the authority to implement the process and carry it out to completion.
[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



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standards. If so, identify and describe any such action, including milestones and completion dates:

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



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 Electric Utility Director of Farmington Electric Utility System.
 2. I am an officer, employee, attorney or other person authorized to sign this Mitigation Plan on behalf of Farmington Electric Utility System.
 3. I understand Farmington Electric Utility System's 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. Farmington Electric Utility 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): Maude Grantham-Richards
Title: FEUS Utility Director
Date: September 4, 2009



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

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Western Electricity Coordinating Council



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- V. If the Mitigation Plan is approved by WECC and NERC, a copy of the Mitigation Plan will be provided to the Federal Energy Regulatory Commission in accordance with applicable Commission rules, regulations and orders.
- VI. Either WECC or NERC may reject a Mitigation Plan that it determines to be incomplete or inadequate. If the Mitigation Plan is rejected by either WECC or NERC, the Registered Entity will be notified and required to submit a revised Mitigation Plan.
- VII. In accordance with Section 7.0 of the WECC CMEP, remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

Attachment e

FEUS' Certification of Completion of the Mitigation Plan for PRC-017-0 R1.6 submitted October 13, 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: Farmington Electric Utility System

NERC Registry ID: NCR05155

Date of Submittal of Certification: October 13, 2009

NERC Violation ID No(s) (if known): WECC200901440

Standard: PRC-017

Requirement(s): R1

Date Mitigation Plan was scheduled to be completed per accepted Mitigation Plan: 9/11/09

Date Mitigation Plan was actually completed: 9/21/09

Additional Comments (or List of Documents Attached):

(1) Test Procedures Number 533, Dated 09/03/09. This report documents the RAS test as performed by the Arizona Public Service communications technician. It also contains the revisions made to the Scheduling of Tests portion of the procedure to include notification of FEUS personnel by Email.

(2) Special Protection Systems Action, Dated 09/03/09. This report documents the RAS test results observed by FEUS relay technicians at Glade, during the APA test. RAS test included tripping of the line breakers. All systems operated correctly except for a SCADA alarm, which will be checked.

(3) Special Protection Systems Action, Dated 09/21/09. This report documents the maintenance tests (signal levels) performed by FEUS relay technicians at Glade.

Note: The original date for completion was set for 9/11/09; however, FEUS was unable to accomplish mitigation within the established time. FEUS submitted an extension on 9/04/09, the extension was accepted on 9/28/09.



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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: Maude Grantham-Richards

Title: FEUS Utility Director

Email: maudegr@fmtn.org

Phone: 505-599-1165

Authorized Signature:

Date: October 13, 2009

Attachment f

WECC's Verification of Completion of the Mitigation Plan for the alleged violation of PRC- 017-0 R1.6 dated November 10, 2009

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Laura Scholl
Managing Director of Compliance

801.819.7619
lscholl@wecc.biz

November 10, 2009

Linda Jacobson
Compliance Officer
Farmington Electric Utility System
101 North Browning Parkway
Farmington, New Mexico 87401

NERC Registration ID: NCR05155

Subject: Certification of Completion Response Letter

Dear Linda,

The Western Electricity Coordinating Council (WECC) received the Certification of Completion and supporting evidence of Farmington Electric Utility System (FEUS) on 10/12/2009 for the alleged violation of Reliability Standard PRC-017-0 Requirement 1.

WECC has accepted the Certification of Completion for Requirement 1 of the Reliability Standard PRC-017-0 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,

Laura Scholl
Managing Director of Compliance

LS:rh

cc: Steve Henson, FEUS System Operations Manager
Lisa Milanes, 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

Farmington Electric Utility System

Docket No. NP10-____-000

NOTICE OF FILING
February 1, 2010

Take notice that on February 1, 2010, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding Farmington Electric Utility System 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