



## **DECISION**

**IN THE MATTER OF** an Application by New Brunswick Power Corporation pursuant to Section 119(1) of the *Electricity Act* S.N.B. 2013 c. 7 and with respect to Reliability Standard PER-005 (Matter 262)

**November 13, 2014**

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER OF an Application by New Brunswick Power Corporation pursuant to the *Electricity Act* and with respect to Reliability Standard PER-005 (Matter 262)

**NEW BRUNSWICK ENERGY AND UTILITIES BOARD:**

Member: Michael Costello

Chief Clerk: Kathleen Mitchell

**APPLICANT:**

New Brunswick Power Corporation

**INTERVENERS:**

There were no interveners

## **A. Introduction**

[1] The New Brunswick Power Corporation (NB Power) filed an application and supporting evidence with the New Brunswick Energy and Utilities Board (Board) pursuant to section 119(1) of the *Electricity Act*, S.N.B. 2013, c. 7 and the *Reliability Standards Regulation – Electricity Act*, (Reg. 2013-66) seeking the following approval:

(a) an Order:

- (1) approving modifications of Board approved reliability standard PER-005-1 by approving new version PER-005-2 and NB Appendix PER-005-2-NB-0, and
- (2) approving retirement of existing Board approved reliability standard PER-005-1; and

(b) Orders and/or directions with respect to such other matters as the Board sees fit.

[2] NB Power filed the application and evidence (Application) on August 18, 2014. Further to an Order of the Board dated August 27, 2014 (Order), the Board posted the Application on the Board's website. The registered entities, the North American Electric Reliability Corporation (NERC), and the Northeast Power Coordinating Council (NPCC) were notified of the Order and Notice of this Matter 262 and were invited to submit written comments.

## **B. Approval of Reliability Standard**

[3] The *Reliability Standards Regulation – Electricity Act* directs the Board to approve modifications to an approved reliability standard as contemplated by subsection 8(4), which provides:

**8(4)** As soon as practicable after the expiry of the comment period under subsection (2), the Board shall approve modifications to an approved reliability standard that are recommended by the

Corporation in an application under subsection 7(3) or paragraph 7(5)(a)

(a) if the recommended modifications are not substantively different from revisions approved by FERC to the equivalent reliability standard, and

(b) if, during the comment period under subsection (2), there were no substantive comments submitted to the Board by a registered entity, the standards body or the compliance body.

- [4] In this case, the modifications that are recommended by NB Power are not substantially different from revisions approved by the Federal Energy Regulatory Commission of the United States of America (“FERC”) to the equivalent reliability standard. The Board agrees that the modifications are not substantially different. The Board received no comments from the registered entities, NERC or NPCC.

### **C. Retirement of Reliability Standard**

- [5] Similarly, pursuant to section 8 of the *Reliability Standards Regulation – Electricity Act* the Board is directed to retire an approved reliability standard as follows:

**8(5)** As soon as practicable after the expiry of the comment period under subsection (2), the Board shall retire an approved reliability standard

(a) if the application under subsection 7(4) or paragraph 7(5)(b) indicates the date on which FERC approved the retirement of the equivalent reliability standard, and

(b) if, during the comment period under subsection (2), there were no substantive comments submitted to the Board by a registered entity, the standards body or the compliance body.

- [6] The Board approves the retirement of reliability standard PER-005-1. The retirement of this reliability standard was approved by FERC on June 19, 2014. The Board received no comments from the registered entities, NERC or NPCC.

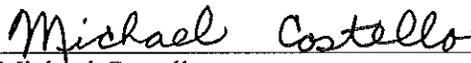
**D. Conclusion**

[7] The Board has carefully considered the Application. The Board is satisfied that the requirements of the *Electricity Act* and the *Reliability Standards Regulation – Electricity Act* have been met and that the requested modifications and the requested retirement of the reliability standard described above are both warranted and appropriate.

[8] The Application is approved as requested.

Dated on the 13<sup>th</sup> day of November, 2014.

**New Brunswick Energy and Utilities Board**

  
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Michael Costello  
Member