

April 24, 2020

**VIA ELECTRONIC FILING**

Michael Law  
President and Chief Executive Officer  
Alberta Electric System Operator  
2500, 330 - 5 Avenue SW  
Calgary, Alberta  
T2P 0L4

RE: *North American Electric Reliability Corporation COVID-19 Compliance Response*

Dear Mr. Law:

In recent weeks, the North American Electric Reliability Corporation (NERC), the Regional Entities, and the Alberta Market Surveillance Administrator (MSA) have taken a series of measures to help ensure grid reliability amid the impacts posed by the coronavirus (COVID-19) outbreak, a public health emergency that is unprecedented in modern times. These measures have been taken in recognition of the critical importance of the reliability of the North American energy sector and the steps that registered entities are taking to maintain the health and safety of their workforce and communities.

On March 30, 2020, the Alberta Market Surveillance Administrator (MSA) issued a notice stating that the MSA would be exercising its regulatory discretion to advise market participants and the Alberta Electric System Operator that the effects of the coronavirus would be considered an acceptable reason on a case-by-case basis for non-compliance with the Reliability Standards.<sup>1</sup> NERC has issued a similar notice for entities in the United States.<sup>2</sup> Additionally, NERC has determined that it will consider the coronavirus outbreak an extenuating circumstance under its *Sanction Guidelines* for all instances of noncompliance where the impacts of the outbreak, such as impacts on workforce availability or the supply chain, were a cause or contributing factor to the noncompliance.

On April 6, 2020, NERC filed a motion with the United States Federal Energy Regulatory Commission (FERC) to defer the implementation, by three to six months, of those Reliability Standards scheduled to become

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<sup>1</sup> Market Surveillance Administrator, *The Coronavirus and Specified Penalties* (March 30, 2020).

<sup>2</sup> See Joint U.S. Federal Energy Regulatory Commission and NERC Press Release, *FERC, NERC Provide Industry Guidance to Ensure Grid Reliability Amid Potential Coronavirus Impacts* (Mar. 18, 2020), <https://www.ferc.gov/media/news-releases/2020/2020-1/03-18-20.pdf>.

effective in the United States in whole or in part during the second half of 2020.<sup>3</sup> FERC granted that motion on April 17, 2020.

In its April 6 Motion to the FERC, NERC stated that in order to establish compliance with these Reliability Standards by their scheduled effective or phased-in implementation dates, registered entities would need to expend significant effort and resources in the coming months toward establishing and implementing the necessary processes and procedures, conducting the necessary coordination, and establishing documentation of compliance. In some cases, supply chain, travel, or workforce disruptions may have temporarily impacted an entity's ability to perform the work or conduct any needed training. By providing for additional time and flexibility to establish compliance with new obligations, entities could continue to focus their immediate efforts and resources on maintaining the safety of their workforces and communities and ensuring the reliability of the grid during this public health emergency.

NERC provides notice of this April 6 Motion on an informational basis to the Alberta Electric System Operator (AESO). NERC understands that the AESO has a very specific process it must follow for the adoption in Alberta of a NERC Reliability Standard, and NERC describes this process every time it submits a Reliability Standard for adoption in Alberta (including for those standards listed below). NERC and the Western Electricity Coordinating Council (WECC) are willing to assist in the event the AESO would like to consider a three-to-six month delay, or other delay it deems appropriate, for any of the Reliability Standards coming into effect in the second half of 2020 in Alberta. According to NERC's records, these Reliability Standards include:

- PRC-023-AB-4, which goes into effect July 1, 2020; and
- CIP-014-AB-2, which goes into effect July 1, 2020.

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<sup>3</sup> See *NERC, Motion to Defer Implementation of Reliability Standards and Request for Shortened Response Period and Expedited Action*, filed in U.S. FERC Docket Nos. RM15-4-000, RM16-22-000, RM17-13-000, and RD18-4-000 (Apr. 6, 2020), available at <https://www.nerc.com/FilingsOrders/us/NERC%20Filings%20to%20FERC%20DL/Motion%20to%20Defer%20Implementation%20of%20Reliability%20Standards.pdf>.

In the filing, NERC requested deferring the implementation of the following standards: (1) Supply Chain Standards, Reliability Standards CIP-005-6, CIP-010-3, and CIP-013-1; (2) Reliability Standards PER-006-1 – Specific Training for Personnel and PRC-027-1 – Coordination of Protection Systems for Performance During Faults, along with the revised definitions of Real-time Assessment and Operational Planning Analysis; (3) Reliability Standard PRC-002-2 – Disturbance Monitoring and Reporting Requirements, which became effective in the United States on July 1, 2016, but for which entities are scheduled to establish 50% compliance with Requirements R2-R4 and R6-R11 by July 1, 2020 in accordance with the phased-in implementation plan; and (4) Reliability Standard PRC-025-2 – Generator Relay Loadability, which became effective in the United States on July 1, 2018, but for which entities are scheduled to establish compliance with certain Options in Attachment 1, Table 1 Relay Loadability Evaluation Criteria by July 1, 2020 in accordance with the phased-in implementation plan.

To the extent that there are other Reliability Standards scheduled to go into effect the second half of 2020 in Alberta, NERC requests that the AESO also consider a three-to-six month delay, or other delay it deems appropriate, for such standards.<sup>4</sup>

NERC requests, to the extent necessary, a waiver of any applicable filing requirements with respect to this filing. Please contact Lauren Perotti, NERC Senior Counsel (lauren.perotti@nerc.net) or Marisa Hecht, NERC Counsel, (marisa.hecht@nerc.net) if you have any questions.

Respectfully submitted,

/s/ Lauren Perotti

Lauren Perotti  
*Senior Counsel for the North American  
Electric Reliability Corporation*

cc: Mr. Steven F. Goodwill, Senior Vice President of Reliability and Security Oversight, General Counsel and Secretary  
Mr. Ruben Arredondo, Senior Legal Counsel  
Ms. Julie Blair, International Relations Manager  
Ms. Heather Laws, Director of Enforcement  
Western Electricity Coordinating Council

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<sup>4</sup> On this date, NERC has also submitted to each of the other relevant Canadian provincial authorities a letter identifying Reliability Standards coming into effect in their respective province in the second half of 2020 and offering assistance in considering a three-to-six month delay, or other delay it deems appropriate.