



DECISION

IN THE MATTER OF an Application by New Brunswick Power Corporation pursuant to the *Electricity Act* and with respect to Reliability Standards CIP-003, CIP-004, CIP-006, CIP-008 and CIP-009 (Matter No. 266)

November 28, 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 Standards CIP-003, CIP-004, CIP-006, CIP-008 and CIP-009.

NEW BRUNSWICK ENERGY AND UTILITIES BOARD:

Member:	Patrick Ervin
Chief Clerk:	Kathleen Mitchell
Board Counsel:	Ellen Desmond

APPLICANT:

New Brunswick Power Corporation

INTERVENERS:

There were no interveners

A. Introduction

- [1] On September 5, 2014, the New Brunswick Power Corporation (NB Power) filed an application and supporting evidence (Application) with the New Brunswick Energy and Utilities Board (Board). The Application is filed pursuant to subsection 119(1) of the *Electricity Act*, S.N.B. 2013, c. 7 (Act) and the *New Brunswick Regulation 2013-66* under the *Electricity Act (Reliability Standards Regulation – Electricity Act)*.
- [2] Further to an Order of the Board dated September 10, 2014 (Order), the Board posted the Application and Notice of this Matter 266 on the Board's website.
- [3] The registered entities, the North American Electric Reliability Corporation (NERC) and the Northeast Power Coordinating Council Inc. (NPCC) were notified electronically of the Order and the Notice of this Matter 266. The parties were invited to submit written comments. The comment period concluded on November 10, 2014. The Board received no comments from any registered entities, NERC, or NPCC.
- [4] This Application seeks the approval of the Board of the following:
- a. modifications of Board approved reliability standard CIP-003-5 by approving revised version CIP-003-5,
 - b. modifications of Board approved reliability standard CIP-004-5.1 by approving revised version CIP-004-5.1,
 - c. modifications of Board approved reliability standard CIP-006-5 by approving revised version CIP-006-5,
 - d. modifications of Board approved reliability standard CIP-008-5 by approving revised version CIP-008-5,
 - e. modifications of Board approved reliability standard CIP-009-5 by approving revised version CIP-009-5,
 - f. such other orders and/or directions as the Board may see fit.

[5] The Chairperson has directed one member of the Board to deal with this Matter 266 pursuant section 5 of the *New Brunswick Regulation 2007-4* under the *Energy and Utilities Board Act*.

B. Approval of Reliability Standards

[6] Section 8 of 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.

[7] An “approved reliability standard” as defined in the Act, is comprised of (a) a reliability standard (as established by NERC and approved by the Board) and (b) any corresponding NB Appendix, detailing modifications to the former, necessary to ensure compatibility or consistency with the laws of the Province or Canada. Accordingly, the two documents must be read together.

[8] The FERC revisions to the equivalent reliability standards required NB Power to apply to the Board under subsection 7(3) of the *Reliability Standards Regulation – Electricity Act*. In this case, NB Power did not recommend any modifications to the current corresponding NB Appendices to the reliability standards cited above.

C. Conclusion

[9] The Board has carefully considered the Application and is satisfied that the requirements of the Act and the *Reliability Standards Regulation – Electricity Act* have been met and that approval of the FERC revisions to the reliability standards is both warranted and appropriate.

[10] The Application is approved as requested.

Dated in Saint John, New Brunswick, this 28th day of November, 2014.

New Brunswick Energy and Utilities Board



Patrick Ervin
Member