

Individual or group. (23 Responses)
Name (16 Responses)
Organization (16 Responses)
Group Name (7 Responses)
Lead Contact (7 Responses)
Question 1 (22 Responses)
Question 1 Comments (23 Responses)

Individual
Brenda Frazer
Edison Mission Marketing & Trading
Yes
Individual
John Bee
Exelon
No
<p>Exelon disagrees with the current proposed draft of FAC-003-3/X because the reference to a “clear line of sight from the generating station switchyard fence to the point of interconnection” does not clarify the Standard and is unsupported by any technical basis. Furthermore, the definition of “clear line of sight” added by the SDT does not address or remedy the substantive concerns raised in Exelon’s appeal. Exelon reiterates that the SDT should base the applicability of the Standard on the length of the transmission line, a measurable component of the bulk electric system, and remove all references to a “clear line of sight.” This approach is consistent with previous draft versions of FAC-003 proposed by the SDT and the Ad Hoc Group and the recent recommendation of the NERC Vice President of Standards and Training in response to Exelon’s appeal. Alternatively, if the “clear line of sight” verbiage remains, the Standards should be clarified to remove the requirement that the line of sight be established from “the generating station switchyard fence to the point of interconnection” and to add a requirement or clarify that “clear line of sight” for lines of one mile or less can include observation of the length of the transmission lines from various vantage points within the owner controlled property. The SDT states in the “Background” section of the Unofficial Comment Form that “a reference to the line of sight is clarifying and makes explicit the SDT’s implicit intent from day one.” Yet, the SDT offers no support for its “implicit intent from day one,” and a review of the history for these Standards certainly does not support an “implicit intent from day one” to require a clear line of sight from a fixed location, let alone the generating station switchyard fence, to the point of interconnection. The Technical Justification document posted in September 2011 (p. 3) refers to the Ad Hoc Group’s original thought to exclude from the Standards any transmission lines that were “less than two spans [long] (generally one half mile from the generator property line).” In agreeing “with that intended exclusion in principle,” the SDT explained (p. 3) that, “[a]fter reviewing formal comments, the SDT agreed to revise the exclusion so that it applies to a Facility [transmission line] if its length is ‘one mile or 1.609 kilometers beyond the fenced area of the generating station switchyard’ to approximate line of sign [sic] from a fixed point,” (the fixed point being the fenced area of the generating station switchyard). From the start, the Ad Hoc Group and SDT focused on the length of the transmission line (either a half mile as proposed by the Ad Hoc Group or a mile as proposed by the SDT) as the proxy for line of sight, the presumption being that up to a certain distance, the overhead line is in the line of sight at various locations throughout the Generator Owner’s property and reasonably subject to being managed through normal day-to-day plant activities. The SDT has not, until the most recent iteration of the Standards, focused on requiring a “clear line of sight from the generating station switchyard fence to the point of interconnection.” As support for adding the “clear line of sight” requirement to the FAC-003-3/X Standards in December 2011, the SDT noted as follows: “We believe that the one mile length is a reasonable approximation of line of sight, and that using a fixed starting point (at the fenced area of the generation station switchyard) eliminates confusion and any discretion on the part of a Generator Owner or an auditor.” With the addition of an explicit line of sight reference here, the SDT believes it has clarified its original intent. (Side bar comments to FAC-003-3, Section 4.3.1 (December 1, 2011): FAC-003-X, Section</p>

4.3.1 (December 1, 2011)). This explanation does nothing more than (1) reiterate the point the SDT has maintained throughout the entire drafting process, namely that "the one mile length" of a transmission line "is a reasonable approximation of line of sight," and (2) explain that the SDT included a "fixed starting point" (the fenced area of the generation station switchyard) from which to measure the length of the transmission line to address stakeholder concerns about excessive Generator Owner discretion with respect to the location from which to take a measurement and inconsistent application of the Standards. Again, the SDT's "intent" (implicit or otherwise) "from day one" has nothing to do with establishing a "clear line of sight from the generating switchyard fence to the point of interconnection." In addition, requiring a "clear line of sight from the generating station switchyard fence to the point of interconnection" is technically unsupported. The SDT just added the requirement for a "clear line of sight to the point of interconnection" language without considering the implications of why such a change was required or reasonable. While a specific fixed starting point (the generating station switchyard fence) and end point (the point of interconnection) may make sense for establishing a starting and ending point from which to measure the length of the transmission line (the one-mile limitation), it does not make sense when considering a clear line of sight, especially in light of stakeholder comments and the SDT's repeated acknowledgment that in many cases, generation Facilities are either (1) staffed and the overhead portion is within the line of sight or (2) the overhead Facility is over a paved surface. Stakeholders have generally supported the rationale exempting these Facilities because incorporating them into FAC-003 would offer no reliability benefit. The SDT and industry comments support the position that these qualifiers represent a reasonable and appropriate risk prevention approach. (Consideration of Comments, Generator Requirements at the Transmission Interface, Project 2010-07 (for November 9, 2011 successive ballot), p. 1; Technical Justification Resource Document (posted March 2012), p. 3.) By inserting the "clear line of sight" requirement now without modifying the fixed starting point, the SDT completely ignores its unequivocal acknowledgment that generation Facilities are unique in the sense that personnel can see the line from various locations within the owner controlled area and many generation Facilities are over paved surfaces. The absence of a technical justification for imposing a "clear line of sight" is illustrated by the following example. A Generator Owner transmission line leaving the generating station could take a "dog leg" turn (the line turns at one of the towers). Standing at the tower in this example, an individual would have a clear line of sight of the entire line to either end of the short-distance line (to the end leaving the station and to the end terminating at the point of interconnection). Since the generating Facility is within the Generator Owner's property line or controlled area and consistently staffed by personnel who patrol the owner controlled area, the line can be observed and maintained by staff in the same manner as any other short distance line with a "clear" line of sight from the "generating station switchyard fence to the point of interconnection." Moreover, to the extent a portion or the entire length of the line travels over paved surfaces or structures, any barriers or obstacles to a clear line of sight will not be caused by vegetation, as discussed in FAC-003-3/X but, rather, by equipment, components, or structures. Clearance between generator lines and structures is already covered in other NERC Standards. For those lines that do travel over areas of vegetation, the regular personnel monitoring and surveillance of the areas over which the lines travel provides reasonable assurance of protection from vegetation related events. Rather than clarifying the Standards, the SDT has introduced more ambiguity into the Standards. The addition of the "generating station switchyard fence" as the point of reference for a clear line of sight adds more confusion than it solves by introducing a variable that will be left to the discretion of generator owner and an auditor. What is the definition of a "generating station switchyard fence?" As Exelon noted in its Appeal and at least one other Registered Entity noted in its Comments for the first successive ballot (Consideration of Comments posted March 2012, p. 38), some generation facilities do not have generating switchyards or generating switchyard fences. A requirement that there be a clear line of sight from the "generating switchyard fence" is meaningless in cases where no such switchyard or fence exists. Is it the fence surrounding the generating unit or is it meant to refer to the fence surrounding the Transmission Owner's associated switchyard and relay house? What if there are multiple physical fence lines between the generating unit and the point of interconnection? In addition, by introducing a point of reference that is not a physical component or measurable reference of the bulk electric system, what precludes the Generator Owner from arbitrarily moving the fence line to avoid applicability? Also lacking in clarity is the addition of a footnote defining "clear line of sight" to mean "the distance that can be seen by the average person without special instrumentation (e.g., binoculars, telescope, spyglasses, etc.) on a clear day." Generation Owners will be left to determine what constitutes an "average person," a "clear day," and

"special instrumentation." For all these reasons, Exelon requests that the SDT base the applicability of the Standard on the length of the transmission line, a measurable component of the bulk electric system, and remove all references to a "clear line of sight." Alternatively, if the "clear line of sight" verbiage remains, the Standards should be clarified to remove the requirement that the line of sight be established from "the generating station switchyard fence to the point of interconnection" and to add a requirement or clarify that "clear line of sight" for lines of one mile or less can include observation of the length of the transmission lines from various vantage points within the owner controlled property.

Individual

Ray Phillips

Alabama Municipal Electric Authority

Yes

Group

Northeast Power Coordinating Council

Guy Zito

No

The Applicability language used in FAC-003-X is different from that used in FAC-003-3. The language used in FAC-003-X uses "and" in several places which leads to confusion and a probable "null" result, whereas the language in FAC-003-3 is more straightforward and makes use of "or". The FAC-003-3 applicability language should be used in FAC-003-X. The explanation of what is meant by line of sight should be incorporated in the Applicability Section wording as standards, at NERC's direction, are supposed to be getting away from the use of footnotes.

Individual

Joe Petaski

Manitoba Hydro

No

Manitoba Hydro does not support the changes being proposed in Project 2010-07. If a Generator Owner is required to register as a TO, all the Requirements applicable to a TO should apply. There is no need to change specific Reliability Standards to allow the Generator Owner to perform only selected TO functions. For additional information, please see Manitoba Hydro's comments submitted in the comment period ending November 18, 2011. Manitoba Hydro does not believe that the SDT fully addressed our concerns in their responses to our comments in that commenting period.

Individual

Dan Roethemeyer

Dynegy

No

Using the switchyard fence is too restrictive. There could be too many different layouts to keep it fair for all GO's. For example, there could be an obstruction if limited to standing at the existing switchyard fence but if one were to move a short distance away (i.e. corner of GO's building) then it could be possible to see both ends of the tie line. This would also meet the intent of the added language since it is now within line of sight. I recommend deleting "switchyard fence". Also, in order to account for a GO not being able to dictate what happens inside a TO's switchyard, I recommend adding "entry or" between "of" and "interconnection".

Individual

Thad Ness

American Electric Power

Yes

Individual

John Seelke

Public Service Enterprise Group

Yes
Individual
Dale Fredrickson
Wisconsin Electric
No
We strongly oppose the addition of the "clear" line of sight criteria to the Applicability. The report of the GOTO Task Force, as well as prior draft revisions to FAC-003, included a test based solely on circuit length, which is sufficient in our view to assure that the BES is not at risk due to vegetation issues on generator tie lines. The expansion to include short tie lines, including those entirely on the Generator Owner's property which may not meet the line of sight qualifier, has no benefit to reliability. Rather, the expanded applicability and the requirement for a formal vegetation management program in these cases will consume resources for compliance that are better used for actual reliability improvements.
Group
Texas Reliability Entity
Don Jones
No
In FAC-003-X: 1. We appreciate that you took Regional Entity out of the Applicability section, but there is still a Requirement (R4) that applies to the Regional Entity. Is that Requirement intended to be enforceable against the Regional Entities? We suggest removing Requirement R4. 2. In Part D.1.1, only the Regional Entity should be listed as Compliance Monitor, since the Regional Entity has been removed as an Applicable entity. 3. In the Purpose section, update the reference to NERC (use "Corporation" instead of "Council"), and capitalize "Rights-of-Way" since it is a defined term. 4. We suggest that you spell out "Regional Entity" in Applicability part 4.2.1. 5. In the implementation plan, the reference to "R3" should be corrected to "R1" in the following sentence: "In those jurisdictions where no regulatory approval is required, Requirement R3 becomes effective on the first day of the first calendar quarter one year following Board of Trustees adoption." In FAC-003-3: 6. There is no Compliance Monitor listed on page 17. At least the Regional Entity should be listed here. 7. In the Severe VSL for R2, replace "Transmission Owner" with "responsible entity." 8. In the Severe VSL for R1 and R2, remove "active transmission line" before "ROW." That phrase is confusing in the VSLs because it does not appear in the requirements, and it is not clear whether it is intended to change the requirements. 9. In Table 2 (Alternating Current – meters AND Direct Current) the footnote references are wrong. We think they should be 9 and 10, rather than 7 and 8. 10. In Table 2 (Direct Current), the column headings are wrong. Only the first column heading should refer to voltage. The rest should refer to MVCD.
Individual
bf
asdf
Individual
Daniel Duff
Liberty Electric Power LLC
No
The "line of sight" should be removed. It opens up the entity to a finding of non-compliance if a temporary blockage of line of sight should occur.
Individual
Martin Kaufman
ExxonMobil Research and Engineering
No
While it is clear that the SDT is attempting to include those facilities owned by Generator Owners that travel long distances down right-of-ways, the applicability section of FAC-003-X and FAC-003-3, as written, require industrial complexes with cogeneration facilities to develop Transmission Vegetation

Management Programs for generator lead lines that are not exposed to vegetation. Industrial cogeneration location is typically chosen based on the availability of fuel, need for steam, or availability of real estate. This can result with the generation facilities (including the GSU transformer substation) being located deep within the plant with long cable routes and multiple substation connections between the GSU transformer substation and utility interconnection facility located near the perimeter of the industrial complex's fence line. Additionally, the routes of these generator lead lines fundamentally differ in nature from a typical IPP's generator lead line route. Since they are located within the fence line of an industrial complex, the routes rarely contain vegetation; are frequently travelled by plant personnel; rarely run in straight lines (i.e. no single line of sight); and frequently terminate at a facility located at the fence line of the industrial complex where a transmission company takes ownership of the power lines that leave the industrial complex. Furthermore, the use of the term "generating station switchyard" may result in inconsistent enforcement of the Transmission Vegetation Management Program Reliability Standard as the use of the term implies there is only one substation located within a Generator Owner's complex. Typically, there are multiple substations that connect an industrial complex's generator lead-line to the utility interconnection facility located near the perimeter of the industrial complex's fence line. The two obvious interpretations for the "generating station switchyard" are the substation that is directly connected to the generator's GSU, and the utility interconnection facility. The concerns raised by NERC and FERC staff related generator owned transmission like assets originate with those conductors that leave the Generator Owner's complex's fence line and travel long distances down vacant right-of-ways, and, therefore, the applicability of those Reliability Standards that apply to transmission facilities should start with the fence line. Since the Bulk Electric System is contiguous, reliability concerns related to the facilities between the GSU transformer substation and utility interconnection facility are covered by those Reliability Standards that apply to Generator Owners and Generator Operators. In order to account for the different nature of industrial complex's generation facilities, the SDT should consider re-phrasing the applicability section of FAC-003-X and FAC-003-3 to start counting the length of a generator lead line at the fence line of the Generator Owner's complex and not the generating station switchyard.

Individual

Brian Murphy

NextEra Energy, Inc.

No

Under the line of sight approach, a generation lead would be exempt from the requirements of FAC-003-3 if personnel can see the generation lead corridor and the generation lead is less than a mile. The rationale provided to support of this proposal is that "Stakeholders have generally supported the rationale for exempting these Facilities because incorporating them into FAC-003 would offer no reliability benefit." However, there is no data that supports that generation leads of less than a mile are categorically not subject to vegetation contacts and outages. Further, in practice this approach will unduly discriminate against longer generator leads, many of which are associated with renewable energy resource, such as wind and solar. NextEra Energy Inc. (NextEra) believes a more technically sound approach is that all generator leads be subject to FAC-003-3, with the opportunity to be exempted from FAC-003-3 regulation upon an affirmative demonstration that no vegetation threat exists. To implement this approach, NextEra proposes that FAC-003-3 applicability 4.3.1 be revised to read as follows: "Overhead transmission lines, including generation leads, beyond the fenced area of the generating station switchyard to the point of interconnection with a Transmission Owner and are: 4.3.1.1. Operated at 200kV or higher; or 4.3.1.2. Operated below 200kV identified as an element of an IROL under NERC Standard FAC-014 by the Planning Coordinator; or 4.3.1.3. Operated below 200 kV identified as an element of a Major WECC Transfer Path in the Bulk Electric System by WECC." NextEra would also propose to add a new section 4.3.2 that reads as follows: "If a Generator Owner or Transmission Owner can demonstrate that the entire Right-of-Way is paved or otherwise devoid of vegetation, and reasonably expected to remain so, the Generation Owner or Transmission Owner is exempt from FAC-003-3." In addition, NextEra proposes that the drafting team consider a megawatt (MW) threshold for a generating plant from both a stand-alone and aggregate bases. For example, it is unlikely that vegetation contact tripping a 50 megawatt generator (or a generator of 100 MWs in the aggregate) connected to a robust transmission system with a large amount of load and generation will adversely impact reliability. Thus, NextEra proposes the addition of a provision that exempts a generation lead for stand-alone generators of 50 MWs and below and generators in the aggregate of

100 MWs and below, unless there is an affirmative request for the generator to comply with FAC-003-3 by a Transmission Operator or Reliability Coordinator. Such a provision could read as follows: "Unless a Transmission Operator or Reliability Coordinator requests in writing that a stand-alone generator of 50 Megawatts (MWs) or below (with a 200 kV or above generation lead) or a generator in the aggregate of 100 MWs or below (with a 200 kV or above generation lead) comply with FAC-003-3, these classes of generators and their associated generation leads are exempt from complying with FAC-003-3. In the event a Transmission Operator or Reliability Coordinator requests in writing that a stand-alone generator of 50 Megawatts (MWs) or below (with a 200 kV or above generation lead) or a generator in the aggregate of 100 MWs or below (with a 200 kV or above generation lead) comply with FAC-003-3, the associated registered entity shall have one-year from the date of the written correspondence to come into compliance with FAC-003-3."

Group

Southwest Power Pool Standards Development Team

Jonathan Hayes

No

Clear line of sight" means the distance that can be seen by the average person "standing at ground level "without special instrumentation (e.g., binoculars, telescope, spyglasses, etc.) on a clear day.

Individual

Jean Nitz

ACES Power Marketing

Yes

Group

Bonneville Power Administration

Chris Higgins

Yes

BPA has no other comments or concerns at this time.

Group

Southern Company

Antonio Grayson

No

The requirement as worded implies or could be interpreted to mean one's line of site would have to originate at the generating station switchyard fence. The "clear line of site" should also include that from a roadway that travels in proximity to the line. Such a roadway's purpose would likely include access to the line for inspections, maintenance, travel from the plant to the transmission substation, etc. Since the terrain between the generating station switchyard fence and the point of interconnection could obscure the view from the fence, the clear line of site from such a roadway should be allowed. The requirement should be revised to read, "...or (2) does not have clear line of sight¹ from the generating station switchyard fence or a roadway to the point of interconnection with a Transmission Owner's Facility."

Group

NERC Compliance Policy

Mike Garton

Yes

Dominion offers the following comments on the Implementation Plan for FAC-003-3: 1. The last paragraph on page 2 refers to FAC-003-3 Requirement 1.3. FAC-003-3 does not appear to contain a Requirement 1.3; therefore, Dominion recommends that the reference in the Implementation Plan be clarified. 2. The 3rd paragraph on page 3 refers to FAC-003-3 Requirement 1.2. FAC-003-3 does not appear to contain a Requirement 1.2; therefore, Dominion recommends that the reference in the Implementation Plan be clarified.

Individual

Patrick Brown

Essential Power, LLC
Yes
Group
MRO NSRF
WILL SMITH
Yes
The NSRF agrees with the clarifying changes related to adding the phrase “.....do not have a clear line of sight from the generating station switchyard fence to the point of interconnection with a Transmission Owner’s Facility.....”, however, have the following comment for SDT consideration: • The Evidence Retention in FAC-003-3, Part C, Compliance, and Section 1.2 implies that an entity is required to retain evidence for the time period since the last audit. Since Generator Owners’ audit cycles are six (6) years, and the following paragraph states that to show compliance for R1, R2, R3, R5, R6 and R7 is three calendar years unless directed by the CEA to retain longer as part of an investigation, this section should be clarified to require six years retention for applicable Generator Owners.
Individual
Russell A. Noble
Cowlitz County PUD
No
Cowlitz must agree with Exelon’s position inasmuch that the vantage point must be related to the generating station switchyard maintenance or the operation and maintenance of the generation plant itself, and afford a clear perspective of vegetation proximity. Cowlitz also agrees with the SDT’s line of sight clarifying verbiage. However, restricting the vantage point to the generating station switchyard fence does not encompass the spirit of the exclusion. A short one-mile transmission interconnection line – from the generating station switchyard to the interconnection point – that is frequently viewed during the operation and maintenance of the generation plant itself should be the crux of the exemption. The exact location, i.e., the generating station switchyard fence, of the vantage point is not the make or break of whether the interconnection line will be routinely inspected by default. As an example, consider a hydro project where the generating station switchyard may be located near the tailrace inside a canyon. From the fence line of this particular switchyard, only the interconnection line traversing up the canyon wall is visible. However, topside of the dam where maintenance and operational personnel must daily traverse under the interconnection line to access the powerhouse and switchyard may afford a clear view of both the generating station switchyard below and the interconnection station which includes the whole interconnecting line in-between. Further, if parts of the interconnecting line is viewable in two or even three vantage points beneath the interconnection line during the normal transit to and from the generating station switchyard, the sum of which comprises the whole line, can this not also meet the spirit of the exclusion? Conversely, Cowlitz does not hold that any vantage point should be acceptable. Any vantage point that must require special effort to access no matter the ease is not acceptable. Also, a perpendicular view of a line (not under or near) complicates perception of the proximity of vegetation to a line. Views parallel down the right-of-way maximizes perception of vegetation proximity. Further, a long line that is fully viewable during transit to and from the generation plant increases the chance of hidden vegetation encroachment. Cowlitz strongly opposes any trivializing of reliability compliance collateral damage. Forcing compliance activities with no reliability return must be avoided wherever possible. As a stakeholder with limited time to invest reviewing all the comments submitted, Cowlitz offers an apology to Exelon for missing their initial comment. Cowlitz commends Exelon’s persistence in this matter. * * * Suggested language: ...or (2) do not have a clear line of sight (leave the footnote in place) up and/or down from a single vantage point within the transmission right-of-way where both the origin at the generating station switchyard and the termination interconnection point with the Transmission Owner’s Facility can be seen, and where operations or maintenance personnel frequent on foot during normal generation plant or generating station switchyard access is made...
Individual
Michelle R. D’Antuono
Ingleside Cogeneration LP

Yes