

April 30, 2012

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

**Re: NERC Full Notice of Penalty regarding East Kentucky Power Cooperative,
FERC Docket No. NP12-_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Notice of Penalty¹ regarding East Kentucky Power Cooperative (EKPC), NERC Registry ID# NCR01225,² 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)).³

This Notice of Penalty is being filed with the Commission because EKPC and SERC Reliability Corporation (SERC) have entered into a Settlement Agreement to resolve all outstanding issues arising from SERC's determination and findings of the violation⁴ of BAL-005-0.1b R6. According to the Settlement Agreement, EKPC admits to the violation and has agreed to the assessed penalty of twelve

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 (2011). *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 SERC confirmed that EKPC was included on the NERC Compliance Registry as a Balancing Authority (BA), Distribution Provider (DP), Generator Operator (GOP), Generator Owner (GO), Load Serving Entity (LSE), Planning Authority (PA), Purchasing-Selling Entity (PSE), Resource Planner (RP), Transmission Operator (TOP), Transmission Owner (TO), Transmission Planner (TP) and Transmission Service Provider (TSP) on May 31, 2007. EKPC was registered as an Interchange Authority (IA) on March 20, 2008. EKPC, as a BA, is subject to the requirements of NERC Reliability Standard BAL-005-0.1b R6.

³ See 18 C.F.R § 39.7(c)(2).

⁴ For purposes of this document, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

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thousand dollars (\$12,000), in addition to other remedies and actions to mitigate the instant violation and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violation identified as NERC Violation Tracking Identification Number SERC201000539 is being filed in accordance with the NERC Rules of Procedure and the CMEP.

Statement of Findings Underlying the Violation

This Notice of Penalty incorporates the findings and justifications set forth in the Settlement Agreement executed on January 30, 2012, by and between SERC and EKPC. The details of the findings and basis for the penalty are set forth in the Settlement Agreement and herein. This Notice of Penalty filing contains the basis for approval of the Settlement Agreement by the NERC Board of Trustees Compliance Committee (NERC BOTCC). In accordance with Section 39.7 of the Commission's regulations, 18 C.F.R. § 39.7 (2011), NERC provides the following summary table identifying each violation of a Reliability Standard resolved by the Settlement Agreement, as discussed in greater detail below.

| Region | Registered Entity | NOC ID | NERC Violation ID | Reliability Std. | Req. (R) | VRF | Total Penalty |
|------------------------------|---------------------------------|----------|-------------------|---------------------------|----------|--------|---------------|
| SERC Reliability Corporation | East Kentucky Power Cooperative | NOC-1204 | SERC201000539 | BAL-005-0.1b ⁵ | 6 | Medium | \$12,000 |

BAL-005-0.1b

The purpose statement of Reliability Standard BAL-005-0.1b provides: "This standard establishes requirements for Balancing Authority Automatic Generation Control (AGC) necessary to calculate Area Control Error (ACE) and to routinely deploy the Regulating Reserve. The standard also ensures that all facilities and load electrically synchronized to the Interconnection are included within the metered boundary of a Balancing Area so that balancing of resources and demand can be achieved."

BAL-005-0.1b R6 provides: The Balancing Authority's AGC shall compare total Net Actual Interchange to total Net Scheduled Interchange plus Frequency Bias obligation to determine the Balancing

⁵ BAL-005-0 was enforceable from June 18, 2007 through August 27, 2008. BAL-005-0b was approved by the Commission and became enforceable on August 28, 2008. BAL-005-0.1b is the current enforceable Standard as of May 13, 2009. The subsequent interpretations provide clarity regarding the responsibilities of a registered entity and do not change the meaning or language of the original NERC Reliability Standard and its requirements.

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Authority's ACE. Single Balancing Authorities operating asynchronously may employ alternative ACE calculations such as (but not limited to) flat frequency control. If a Balancing Authority is unable to calculate ACE for more than 30 minutes it shall notify its Reliability Coordinator.

BAL-005-0.1b R6 has a "Medium" Violation Risk Factor (VRF) and a "Moderate" Violation Severity Level. The subject violation applies to EKPC's BA function.

On April 7, 2010, at approximately 10:35 a.m. EST, EKPC experienced the loss of 470 MW of generation due to a forced outage of Spurlock Unit #2. The System Operator deployed available reserves to cover the 470 MW lost. As a result of these actions, EKPC was able to fully restore the amount of generation lost as a result of the outage within approximately 23 minutes.

EKPC conducted an investigation into the incident and found that an employee willfully overrode the Net Scheduled Interchange (NSI) input and substituted altered values, which made ACE's recovery appear to have happened sooner than if the actual NSI values had been used. As a result, the recovery of the ACE appeared to occur within approximately 12 minutes, rather than 23 minutes. The employee ceased entering the altered NSI values into the ACE calculation once the reserves were fully loaded, concurrent with EKPC's actual recovery. On May 26, 2010, EKPC self-reported a possible violation of BAL-005-0.1b R6.

SERC staff determined that EKPC, as a Balancing Authority, by using the wrong NSI, violated BAL-005-0.1b R6 because it did not properly compare total Net Actual Interchange to total NSI plus Frequency Bias obligation to determine its ACE, as required by the Standard.

SERC determined the duration of the violation to be from April 10, 2010 (at approximately 10:35 a.m.), the date the employee overrode the NSI input, through April 10, 2010 (at approximately 10:58 a.m.), when the employee ceased overriding the NSI input.

SERC determined that this violation posed a minimal risk to the reliability of the bulk power system (BPS) and not a serious or substantial risk to the reliability of the BPS because (1) EKPC's actual performance to deploy available resources to cover the 470 MW lost during the disturbance recovery was prompt; (2) ACE was recovered within 23 minutes; (3) the loss of this unit was not a Reportable Disturbance since, by definition, the loss of at least 1,016 MW would have been necessary for this event to be classified as a Reportable Disturbance; and (4) the action taken by the employee was not directed at impeding operations in deployment of available reserves but rather to alter the recorded recovery time.

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Regional Entity's Basis for Penalty

According to the Settlement Agreement, SERC has assessed a penalty of twelve thousand dollars (\$12,000) for the referenced violation. In reaching this determination, SERC considered the following factors:

- 1) The violations constituted the first occurrence of violations of the same or closely-related Reliability Standards by EKPC and its affiliated companies;
- 2) EKPC was implementing a formal compliance program at the time of the violation which SERC considered a mitigating factor. According to EKPC, its documented compliance program was approved by the Chief Executive Officer (CEO) on October 29, 2010. EKPC's compliance program is disseminated to all employees who are responsible for EKPC's compliance with NERC Standards. EKPC's Manager of Reliability Standards Compliance reports to the Vice President of System Operations, who has oversight of the compliance program. Through the Vice President of Operations, the Manager of Reliability Standards Compliance has direct access to EKPC's CEO and the Board of Directors. EKPC senior management receives regular reports from the Vice President of System Operations regarding NERC activities.
- 3) EKPC immediately removed the responsible employee from responsibilities within the control-room. Shortly thereafter, the employee was terminated.

After consideration of the above factors, SERC determined that, in this instance, the penalty amount of twelve thousand dollars (\$12,000) is appropriate and bears a reasonable relation to the seriousness and duration of the violation.

Status of Mitigation Plan⁶

EKPC's Mitigation Plan to address its violation of BAL-005-0.1b R6 was submitted to SERC on April 1, 2011 with a proposed completion date of April 1, 2011. The Mitigation Plan was accepted by SERC on June 2, 2011, and approved by NERC on August 5, 2011. The Mitigation Plan for this violation is designated as SERCMIT004980 and was submitted as non-public information to FERC on August 12, 2011 in accordance with FERC orders.

EKPC's Mitigation Plan required EKPC to:

1. Notify all NERC-certified personnel and operating trainees of the employee's actions and express that this behavior is not acceptable and severe discipline will follow any such action;

⁶ See 18 C.F.R § 39.7(d)(7).

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2. Place an alarm system on NSI Override Function;
3. Hold a mandatory ethics and professional responsibility workshop for System Operators, which included a lessons learned regarding the incident (this course will be incorporated into EKPC's ongoing System Operator training program);
4. Implement a corporate compliance policy and a NERC Standards and Compliance course, each specifically addressing adherence to NERC Standards; and
5. Hire a Reliability Standards Compliance Manager;
6. Develop an internal auditing program focused on measuring the EKPC's System Operators' performance against NERC standards and EKPC's policies and procedures;
7. Develop a NERC Reliability Standards compliance newsletter to reinforce compliance education; and
8. Immediately remove the responsible employee from responsibilities within the control-room. Shortly thereafter, the employee was terminated.

EKPC certified on July 12, 2011 that the above Mitigation Plan requirements were completed on March 9, 2011. As evidence of completion of its Mitigation Plan, EKPC submitted the following:

1. Copies of alarms issued and operator log entries made when NSI Override used;
2. Copy of Compliance Manager Job description;
3. Copy of NSI Override Alarm procedure evidence of reading by operators;
4. Samples of Compliance newsletters;
5. Outline of ethics and fraud seminar;
6. Seminar attendance log and e-mail to system operators;
7. Copy of System Operator Auditing program;
8. Details of monthly audits and audit results spreadsheet;
9. Copy of EKPC Board Policy on Compliance;
10. Copy of NERC Standard Training Plan for EKPC Operators;
11. Details of PJM's NERC Standards Training Module;
12. Operator training summary report;

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13. Attestations from the Vice President – Power Delivery and System Operations and the Manager – System Operations, stating that both individuals addressed all NERC-certified personnel and operating trainees in EKPC’s Energy Control Center regarding the incident and the consequences of similar actions in the future.

On August 9, 2011, after SERC’s review of EKPC’s submitted evidence, SERC verified that EKPC’s Mitigation Plan was completed on March 9, 2011.

Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed⁷

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, October 26, 2009 and August 27, 2010 Guidance Orders,⁸ the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on April 10, 2012. The NERC BOTCC approved the Settlement Agreement, including SERC’s assessment of a twelve thousand dollar (\$12,000) financial penalty against EKPC and other actions to facilitate future compliance required under the terms and conditions of the Settlement Agreement. In approving the Settlement Agreement, the NERC BOTCC reviewed the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violation at issue.

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

1. The violation constituted EKPC’s first occurrence of violations of the subject NERC Reliability Standard;⁹
2. EKPC self-reported the violation;
3. SERC reported that EKPC was cooperative throughout the compliance enforcement process;

⁷ See 18 C.F.R. § 39.7(d)(4).

⁸ *North American Electric Reliability Corporation*, “Guidance Order on Reliability Notices of Penalty,” 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, “Further Guidance Order on Reliability Notices of Penalty,” 129 FERC ¶ 61,069 (2009); *North American Electric Reliability Corporation*, “Notice of No Further Review and Guidance Order,” 132 FERC ¶ 61,182 (2010).

⁹ On March 31, 2011, NERC filed a Notice of Penalty with FERC containing violations of CIP-001-1 R1, R2, R3 and R4 (NOC-409) in *Docket No. NP10-83-000*. On April 30, 2011, FERC issued an Order stating it would not further review the Notice of Penalty. On November 13, 2009, NERC filed a Notice of Penalty with FERC containing violations of BAL-001-0 R1 and BAL-005-0 R2 (NOC-113) in *Docket No. NP10-6-000*. On December 11, 2009, FERC issued an Order stating it would not further review the Notice of Penalty.

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4. EKPC was implementing a formal compliance program at the time of the violation;
5. EKPC terminated the employee responsible for willfully overriding the values used to determine the ACE recovery;
6. SERC determined that the violation posed a minimal risk and did not pose a serious or substantial risk to the reliability of the BPS, as discussed above; and
7. SERC reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

For the foregoing reasons, the NERC BOTCC approved the Settlement Agreement and believes that the assessed penalty of twelve thousand dollars (\$12,000) is appropriate for the violation and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the BPS.

Pursuant to 18 C.F.R. § 39.7(e), 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.

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:

- a) Settlement Agreement by and between SERC and EKPC dated January 30, 2012, included as Attachment a;
- b) Disposition Document serving as SERC's Verification of Mitigation Plan Completion, included as Attachment b to the Settlement Agreement;
- c) EKPC's Self-Report for BAL-005-0.1b R6 dated May 26, 2010, included as Attachment c;
- d) EKPC's Mitigation Plan designated as SERCMIT004980 for BAL-005-0.1b R6 submitted April 1, 2011, included as Attachment d;
- e) EKPC's Certification of Mitigation Plan Completion as SERCMIT004980 for BAL-005-0.1b R6 submitted July 12, 2011, included as Attachment e.

A Form of Notice Suitable for Publication¹⁰

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

¹⁰ See 18 C.F.R § 39.7(d)(6).

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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 North American Electric Reliability Corporation 3353 Peachtree Road NE Suite 600, North Tower Atlanta, GA 30326-1001 (404) 446-2560</p> <p>David N. Cook* Senior Vice President and General Counsel North American Electric Reliability Corporation 1325 G Street N.W., Suite 600 Washington, DC 20005-3132 (202) 644-8047 david.cook@nerc.net</p> <p>Denver York* VP, System Operations & Power Delivery East Kentucky Power Cooperative 4775 Lexington Road Winchester, KY 40391 (859) 744-4812 (859) 744-6002 – facsimile denver.york@ekpc.coop</p> <p>Patrick Woods* Manager, Reliability Standards Compliance East Kentucky Power Cooperative 4775 Lexington Road Winchester, KY 40391 (859) 744-4812 (859) 744-6002 – facsimile patrick.woods@ekpc.coop</p> | <p>Rebecca J. Michael* Associate General Counsel for Corporate and Regulatory Matters North American Electric Reliability Corporation 1325 G Street, N.W., Suite 600 Washington, DC 20005-3132 (202) 644-8052 rebecca.michael@nerc.net</p> <p>R. Scott Henry* President and CEO SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 940-8202 (704) 357-7914 – facsimile shenry@serc1.org</p> <p>John R. Twitchell* VP and Chief Program Officer SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 940-8205 (704) 357-7914 – facsimile jtwitchell@serc1.org</p> <p>Marisa A. Sifontes* General Counsel SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 494-7775 (704) 357-7914 – facsimile msifontes@serc1.org</p> |
|---|--|

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 Corporate Counsel
 Roger Cowden*
 Corporate Counsel
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 Winchester, KY 40391
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 sherman.goodpaster@ekpc.coop
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*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.

Andrea B. Koch*
 Manager, Compliance Enforcement and Mitigation
 SERC Reliability Corporation
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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,

/s/ Rebecca J. Michael

Rebecca J. Michael
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and Regulatory Matters
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cc: East Kentucky Power Cooperative
SERC Reliability Corporation

Attachments

Attachment a

Settlement Agreement by and between SERC and EKPC dated January 30, 2012

Spreadsheet Notice of Penalty Waiver and Settlement Agreement


East Kentucky Power Cooperative ("EKPC") and SERC Reliability Corporation ("SERC") agree to the following:

1. EKPC admits the violation of NERC Reliability Standard BAL-005-0.1b R6 and has agreed to the proposed penalty of twelve thousand dollars (\$12,000) to be assessed to EKPC, in addition to mitigation actions undertaken to mitigate the instant alleged violation.
2. This Settlement Agreement is subject to approval or modification by the North American Electric Reliability Corporation (NERC) and the Federal Energy Regulatory Commission (FERC or Commission). Payment terms, if applicable, will be set forth in the invoice to be submitted by SERC after Commission approval of the instant Notice of Penalty.
3. EKPC has agreed to enter into this Settlement Agreement with SERC to avoid extended litigation with respect to the matters described or referred to herein, to avoid uncertainty, and to effectuate a complete and final resolution of the issues set forth herein. EKPC agrees that this Settlement Agreement is in the best interest of the parties and in the best interest of bulk-power system reliability.
4. The violation listed in Attachment A will be considered a Confirmed Violation that the registered entity admits by NERC, Regional Entity, and FERC for all purposes and may be used as aggravating factors in accordance with the NERC Sanction Guidelines for determining appropriate monetary penalties or sanctions for future violations.
5. SERC has verified that the violation listed in Attachment A has been mitigated as of March 9, 2011, as described in Attachment A.
6. The expedited disposition agreed to herein represents a full and final disposition of the violation listed in Attachment A, subject to approval or modification by NERC and FERC. EKPC waives its right to further hearings and appeal unless and only to the extent that EKPC contends that any NERC or Commission action on this Settlement Agreement contains one or more material modifications to this Settlement Agreement.
7. In the event EKPC fails to comply with any of the stipulations, remedies, sanctions or additional terms, as set forth in this Settlement Agreement, SERC will initiate enforcement, penalty, or sanction actions against EKPC to the maximum extent allowed by the NERC Rules of Procedure, up to the maximum statutorily allowed penalty. Except as otherwise specified in this Settlement Agreement, EKPC shall retain all rights to

defend against such enforcement actions, also according to the NERC Rules of Procedure.


8. Each of the undersigned warrants that he or she is an authorized representative of the entity designated, is authorized to bind such entity, and accepts the Settlement Agreement on the entity's behalf.
9. The undersigned representative of each party affirms that he or she has read the Settlement Agreement, that all of the matters set forth in the Settlement Agreement are true and correct to the best of his or her knowledge, information and belief, and that he or she understands that the Settlement Agreement is entered into by such party in express reliance on those representations.

Accepted:



R. Scott Henry
President and CEO
SERC RELIABILITY CORPORATION

1/30/2012
Date



Denver York
Vice President – System Operations
and Transmission Services
EAST KENTUCKY POWER COOPERATIVE

1/27/2012
Date

Attachment b

Disposition Document serving as SERC's Verification of Mitigation Plan Completion

DISPOSITION OF VIOLATION

NERC TRACKING NO.
SERC201000539

SERC TRACKING NO.
SERC2010-400623

REGISTERED ENTITY
East Kentucky Power Cooperative (EKPC)

NERC REGISTRY ID
NCR01225

REGIONAL ENTITY
SERC Reliability Corporation (SERC)

I. REGISTRATION INFORMATION

ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS IN THE SERC REGION
(BOTTOM ROW INDICATES REGISTRATION DATE):

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP | RSG | TO | TOP | TP | TSP |
|----------|----------|----------|----------|----------|----------|----------|----------|----|----------|-----|----------|----------|----------|----------|
| X | X | X | X | X | X | X | X | | X | | X | X | X | X |
| 05/31/07 | 05/31/07 | 05/31/07 | 05/31/07 | 03/20/08 | 05/31/07 | 05/31/07 | 05/31/07 | | 05/31/07 | | 05/31/07 | 05/31/07 | 05/31/07 | 05/31/07 |

* VIOLATION(S) APPLIES TO SHADED FUNCTIONS

II. VIOLATION INFORMATION

| RELIABILITY STANDARD | REQUIREMENT(S) | SUB-REQUIREMENT(S) | VRF(S) | VSL(S) |
|----------------------|----------------|--------------------|--------|----------|
| BAL-005-0.1b | R6 | - | Medium | Moderate |

DESCRIPTION OF VIOLATION

On May 26, 2010, EKPC self-reported a possible violation of BAL-005-0.1b R6 after discovering that on April 7, 2010, an employee had altered inputs into the ACE calculation. According to the Self-Report, the employee apparently attempted to make the recovery of an unplanned 470 MW loss of generation appear to have happened faster than the actual recovery. The possible violation was discovered during EKPC's internal review of the April 7, 2010 incident.

As part of its assessment, SERC staff requested additional information regarding the Self-Report. EKPC provided information including operator logs, the actual and altered ACE data, graphs showing generation outputs of added generation superimposed on the actual ACE and Net

Scheduled Interchange (NSI), and a timeline of actions leading up to and subsequent to the discovery of the violation.

From its review, SERC staff determined that on April 7, 2010, at approximately 10:35 AM, EKPC experienced the loss of 470 MW of generation due to a forced outage of Spurlock Unit #2. The System Operator worked to deploy available reserves, including available spinning generation, off-line quick-start combustion turbines, and emergency energy from the TEE Contingency Reserve Sharing Group (TEE CRSG)¹ to cover the 470 MW lost. As a result of these actions, EKPC was able to fully restore the amount of generation lost as a result of the outage within approximately 23 minutes.

Since the April 7, 2010 incident was the first time the TEE CRSG was called upon to share reserves, the members decided to collect and analyze ACE data from each of the members. While reviewing the data, it was noted that EKPC's ACE data did not have a gradually increasing profile that would be expected from bringing additional generation online, but instead had a choppy appearance. The discovery by the peer group reviewing the information prompted an internal investigation by EKPC.

From its investigation, EKPC found that an employee manually overrode the NSI input and substituted altered numbers, which made the ACE's recovery appear to have happened sooner than if the actual NSI values had been used, within approximately 12 minutes, rather than 23 minutes. The employee ceased entering the altered NSI into the ACE calculation once the reserves were fully loaded, concurrent with EKPC's actual recovery. The employee later gave a written admission that he had altered the NSI values to the ACE calculation and that while doing this, had entered the first values with the incorrect sign, which created an incorrect negative ACE value. As a result of these findings, EKPC self-reported a possible violation of BAL-005-0.1b R6.

Upon the discovery of the alteration of the NSI values, EKPC immediately removed the responsible employee from responsibilities within the control-room. Shortly thereafter, the employee was terminated. EKPC then reviewed 25 earlier losses of generation and found no instances where the NSI override had been improperly used.

SERC staff determined that EKPC, as a Balancing Authority (BA), violated BAL-005-0.1b R6 because it did not properly compare total Net Actual Interchange to total Net Scheduled Interchange plus Frequency Bias obligation to determine its ACE when EKPC did not use the actual NSI values to calculate the ACE as required by the Standard.

RISK ASSESSMENT

SERC determined that the violation posed a minimal risk and did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because:

¹ The TEE Contingency Reserve Sharing Group (TEE CRSG) was formed by EKPC, Tennessee Valley Authority and E.ON US (now LG&E and KU) in 2010.

1. EKPC's actual performance during the disturbance recovery was prompt and ACE was recovered within 23 minutes;
2. The impact on the BPS was minimal, as EKPC was able to deploy available reserves to cover the loss; and
3. EKPC's actual ACE values would not have resulted in a violation of NERC standards.

IS THERE A SETTLEMENT AGREEMENT? YES ☒ NO ☐

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

| | | |
|--|-----|-------------------------------------|
| NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY) | YES | <input type="checkbox"/> |
| ADMITS TO IT | YES | <input checked="" type="checkbox"/> |
| DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS) | YES | <input type="checkbox"/> |

III. DISCOVERY INFORMATION

METHOD OF DISCOVERY

| | |
|------------------------------------|-------------------------------------|
| SELF-REPORT | <input checked="" type="checkbox"/> |
| SELF-CERTIFICATION | <input type="checkbox"/> |
| COMPLIANCE AUDIT | <input type="checkbox"/> |
| COMPLIANCE VIOLATION INVESTIGATION | <input type="checkbox"/> |
| SPOT CHECK | <input type="checkbox"/> |
| COMPLAINT | <input type="checkbox"/> |
| PERIODIC DATA SUBMITTAL | <input type="checkbox"/> |
| EXCEPTION REPORTING | <input type="checkbox"/> |

DURATION DATE(S)

Approximately 10:35 AM, April 7, 2010 (when an employee entered incorrect NSI inputs which lead to an incorrect ACE calculation) to approximately 10:58 AM, April 7, 2010 (when the correct ACE values were again computed)

IV. MITIGATION INFORMATION

DESCRIPTION OF MITIGATION ACTIVITY

In addition to the personnel action taken immediately following the violation, the following steps were taken to prevent a future violation of this NERC Reliability Standard from recurring:

1. All EKPC NERC-certified personnel (i.e., system operators, operations supervisors, and operations engineers) and operating trainees have been made aware of the specific actions taken by this employee and have been advised that this behavior is not acceptable and that severe discipline will follow any such action.
2. All EKPC System Operators attended a mandatory ethics and professional responsibility workshop, focusing on the specific issues they face in the execution of their job. This course was also incorporated into EKPC's ongoing System Operator training program.
3. EKPC's Control Center Technology and Applications Team has installed an alarm on the NSI Override function. Any future use of this function will also require mandatory completion of documentation and all usage will be subject to follow-up review by EKPC Management.
4. EKPC's System Operations trainer has developed a mandatory course to address the NERC standards for which EKPC is responsible and how those standards apply to, and impact, each System Operators' job.
5. EKPC developed an internal auditing program that will focus on measuring the EKPC's System Operators' performance against NERC standards and EKPC policies and procedures.
6. EKPC implemented a Corporate Reliability Standards Compliance Policy to educate all employees involved with NERC standards as to the importance of strict adherence to the standards.
7. EKPC developed an EKPC NERC Reliability Standards compliance newsletter to reinforce compliance education among those employees involved with NERC Standards.
8. EKPC created the position of Reliability Standards Compliance Manager.

MITIGATION PLAN COMPLETED

YES ☒ NO ☐

ACTUAL COMPLETION DATE

03/09/2011

VERIFIED COMPLETE BY REGIONAL ENTITY AS OF

08/09/2011

V. PENALTY INFORMATION

TOTAL PENALTY OR SANCTION (\$)

TOTAL ASSESSED PENALTY OR SANCTION OF TWELVE THOUSAND DOLLARS (\$12,000) FOR ONE VIOLATION OF RELIABILITY STANDARDS.

OTHER FACTORS AFFECTING THE PENALTY DETERMINATION, INCLUDING COMPLIANCE HISTORY, INTERNAL COMPLIANCE PROGRAM, AND COMPLIANCE CULTURE

EKPC provided the following information regarding its internal compliance program, aspects of which were viewed by SERC as a mitigating factor:

EKPC's current compliance program was formally established on January 1, 2010, with the naming of EKPC's new VP of System Operations, who also serves as EKPC's Senior Compliance Manager. In subsequent presentations to EKPC's executive staff and its Board of Directors, the Senior Compliance Manager outlined the role and direction of EKPC's compliance program, which was formally acknowledged in an EKPC administrative policy on October 29, 2010. Presentation of EKPC's compliance program will continue to be made on a regular basis to executive staff and the Board of Directors by the Senior Compliance Manager.

As Senior Compliance Manager, EKPC's Vice President of Power Delivery and System Operations has oversight of the Cooperative's Reliability Standards Compliance program. Reporting to him is EKPC's Manager, Reliability Standards Compliance, who implements and manages the functions of the program.

Day-to-day compliance is carried out by eight department managers who have been assigned ownership of select standards among the 95 standards for which EKPC is responsible. These "Standard Owners" are assisted in their efforts by designated subject matter experts who are tasked with implementing the standards and gathering evidence of implementation.

EKPC senior management is kept informed of compliance issues through periodic updates to the executive staff by EKPC's Senior Compliance Manager. Executive management is also kept apprised of compliance issues within their respective business areas by the "Standard Owners" and subject matter experts who work for them.

Attachment c

**EKPC's Self-Report for BAL-005-0.1b R6
dated May 26, 2010**

Logged in as:

Sharon Solochier

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System Administration

Committees

Compliance

Self Reports

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Self Report Form - 2010

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If you need to edit data contained in this form, please contact your SERC Administrator.

This form was submitted on 5/26/2010.

* Required Fields

Status: Read Only

Region: SERC

NERC Registry ID: NCR01225

Joint Registration Organization (JRO) ID:

Registered Entity: East Kentucky Power Cooperative

Registered Entity Contact Information:

* Patrick Woods (Patrick.Woods@ekpc.coop) (859) 745-9368

Standard Applicable to Self-Report: BAL-005-0.1b

Requirement Applicable to Self-Report: R6.

Sub Requirements Applicable to Self-Report:

Function Applicable to Self-Report: BA

Has this possible alleged violation previously been reported or discovered:

* ☒ Yes ☒ No

Provide NERC Violation ID (If known):

Date violation occurred:

* 4/7/2010

Date violation discovered:

* 5/6/2010

Is the violation still occurring?

* ☒ Yes ☒ No

Detail explanation and cause of violation:

*

East Kentucky Power Cooperative ("EKPC") experienced the loss of 470 MW of generation due to a forced outage of the Spurlock unit #2 at approximately 10:35 AM EST on April 7, 2010. The loss of this unit was not a Reportable Disturbance (which would require a loss of at least 1016 MW) An EKPC employee (whose title was Balancing and Interchange Operations Supervisor), acting as System Operator, utilized other available spinning generation, off-line quick-start combustion turbines, and emergency energy from the TEE Contingency Reserve Sharing Group to re-supply the 470 MW lost. As a result of these prompt actions, EKPC fully restored the amount of generation lost within approximately 23 minutes. During this recovery, EKPC's actual ACE would not have violated NERC standards, and would not have posed a burden on the interconnected system. However, the System Operator did not use the actual Net Scheduled Interchange in the calculation of ACE. Instead, he used a manual override function to substitute for the Net Scheduled Interchange value in the ACE equation in an apparent attempt to make ACE appear as if recovery had happened sooner. The same System Operator reinstated the proper ACE equation, by utilizing NSI as required, once the reserves were fully loaded.

Reliability Impact:

* Minimal 6

Reliability Impact Description:

*

Minimal. EKPC is a relatively small system, with a small load footprint in the Eastern Interconnection and mostly radial transmission. In addition, the actual ACE values (had they been calculated using actual Net Scheduled Interchange, as required) during the period of restoration of this Non-Reportable Disturbance event were not a burden to the BPS and would not have resulted in a violation of NERC standards. ACE values shown during that period, although inaccurate, did not burden the BPS or cause EKPC or others to take actions different from those that would have been taken had the accurate ACE value been evident during the recovery period.

Additional Comments:

As shown in the attached mitigation plan, EKPC is committed to compliance with NERC standards and preventing an incident of this nature from recurring.

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

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Attachment d

**EKPC's Mitigation Plan designated as
SERCMIT004980 for BAL-005-0.1b R6
submitted April 1, 2011**

Logged in as:

Denver York

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* Required Fields

Status: Saved

Mitigation Plan Summary

| | |
|---------------------------|----------------------------------|
| Mitigation Plan Status: | Region reviewing Mitigation Plan |
| NERC Mitigation Plan #: | |
| Associated Violations: | SERC201000539 |
| Mitigation Plan Due Date: | |
| Expected Completion Date: | 4/1/2011 |



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.
- A.2 ☐ I have reviewed Attachment A and understand that this Mitigation Plan Submittal Form will not be accepted unless this box is checked.

Section B: Registered Entity Information

- B.1 Identify your organization
- | | |
|------------------------------|--|
| Company Name: | East Kentucky Power Cooperative |
| Company Address: | 4775 Lexington Road Winchester, Kentucky 40391 |
| NERC Compliance Registry ID: | NCR01225 |
- B.2 Identify the individual in your organization who will be the Entity Contact regarding this Mitigation Plan.
- Name: *
- E-Mail:

Section C: Identification of Alleged or Confirmed Violation(s) Associated with this Mitigation Plan

- C.1 This Mitigation Plan is associated with the following Alleged or Confirmed violation(s) of the reliability standard listed below. 
- Applicable Standard, Requirement(s) and Date Reported to Region:
- Standard:
- ☐ BAL-005-0.1b R6. (05/26/2010)
- C.2 Identify the cause of the Alleged or Confirmed violation(s) identified above. Additional detailed information may be provided as an attachment: 
- * East Kentucky Power Cooperative ("EKPC") experienced the loss of 470 MW of generation due to a forced outage of the Spurlock unit #2 at approximately 10:35 AM EST on April 7, 2010. The loss of this unit was not a Reportable Disturbance (which would require a loss of at least 1016 MW) An EKPC employee (whose title was Balancing and Interchange Operations Supervisor), acting as System Operator, utilized other available spinning generation, off-line quick-start combustion turbines, and emergency energy from the TEE Contingency Reserve Sharing Group to re-supply the 470 MW lost. As a result of these prompt actions, EKPC fully restored the amount of generation lost within approximately 23 minutes. During this recovery, EKPC's actual ACE would not have violated NERC standards, and would not have posed a burden on the interconnected system. However, the System Operator did not use the actual Net Scheduled Interchange in the calculation of ACE. Instead, he used a manual override function to substitute for the Net Scheduled Interchange value in the ACE equation in an

apparent attempt to make ACE appear as if recovery had happened sooner. The same System Operator reinstated the proper ACE equation, by utilizing NSI as required, once the reserves were fully loaded.

C.3 Provide any additional relevant information regarding the Alleged or Confirmed violations associated with this Mitigation Plan.

Additional detailed information may be provided as an attachment:

* EKPC is committed to supporting and maintaining the reliability of the bulk power system ("BPS"). To effectuate that commitment, all EKPC System Operators, their supervisors, and all operations engineers are NERC certified, receive all NERC and SERC required training, and also receive additional, supplementary training to reinforce the EKPC's expectations of its operating personnel. Interviews with all EKPC System Operators, operating trainees, operations engineers and operations supervisors (including the employee whose actions have prompted this self report) confirm that, consistent with their training, they all know that the ACE equation should reflect the difference between Actual Net Interchange and Net Scheduled Interchange plus the Frequency Bias Component. The actions of the employee in question were in conflict with his training, EKPC company policies, and NERC Standards. EKPC does not condone such disregard for EKPC company policies and NERC Reliability Standards. Through this mitigation plan EKPC intends to show its commitment to ensuring that no employee operating its system will attempt such action in the future.

Section D: Details of Proposed Mitigation Plan

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 Alleged or Confirmed violations identified above in Part C.1 of this form.

Additional detailed information may be provided as an attachment:

Immediately upon learning of the actions of the employee that gave rise to the self report, EKPC suspended that employee without pay pending an investigation into his actions and a final determination as to the appropriate disciplinary action. The remaining System Operators, and other persons who might have contact with this employee in the course of EKPC business, were notified of his suspension. The Vice President-System Operations and the Manager of System Operations remain in constant discussion with EKPC's Human Resources department and are in the process of determining how to adequately discipline the employee. In the meantime, the following steps have been taken, or are planned, to prevent this violation of NERC Standards from recurring in the future:


- All EKPC NERC-certified personnel (i.e., system operators, operations supervisors, and operations engineers) and operating trainees have been made aware of the specific actions taken by this employee and have been advised that this behavior is not acceptable and that severe discipline will follow any such action.
- All EKPC System Operators will attend a mandatory ethics and professional responsibility workshop, focusing on the specific issues they face in the execution of their job. This course will also be incorporated into EKPC's ongoing System Operator training program
- * - EKPC's Control Center Technology and Applications Team has installed an alarm on the NSI Override function. Any future use of this function will also require mandatory completion of documentation and all usage will be subject to follow-up review by EKPC Management.
- EKPC's System Operations trainer has been tasked with developing a course specifically addressing the NERC standards for which EKPC is responsible and how those standards apply to, and impact, each System Operators' job. This course will be mandatory for all EKPC NERC-certified personnel and operating trainees. This course will also be incorporated into EKPC's ongoing System Operator training program.
- EKPC will develop an internal auditing program that will focus on measuring the EKPC's System Operators' performance against NERC standards and EKPC policies and procedures.
- EKPC will complete and implement a Corporate Reliability Standards Compliance Policy to educate all employees involved with NERC standards as to the importance of strict adherence to the standards.
- EKPC will develop and periodically distribute an EKPC NERC Reliability Standards compliance newsletter to reinforce compliance education among those employees involved with NERC Standards.
- EKPC has further demonstrated its commitment to reliability standards compliance by creating the position of Reliability Standards Compliance Manager.

D.2 Provide the date by which full implementation of the Mitigation Plan will be, or has been, completed with respect to the Alleged or Confirmed violations identified above. State whether the Mitigation Plan has been fully implemented:

D.3 Enter Milestone Activities, with due dates, that your organization is proposing, or has completed, for this Mitigation Plan:


| Milestone | Status | Due Date | Completed Date | |
|---|---------------------|------------|----------------|------------------------|
| Inform Employees of Unacceptable Actions | Milestone Completed | 5/10/2010 | 5/10/2010 | Detail |
| Alarm System placed on NSI Override Function | Milestone Completed | 5/21/2010 | 5/21/2010 | Detail |
| Compliance Manager | Milestone Completed | 5/24/2010 | 5/24/2010 | Detail |
| Override-function tracking procedure | Milestone Completed | 6/15/2010 | 6/15/2010 | Detail |
| Compliance Newsletter | Milestone Completed | 6/30/2010 | 6/29/2010 | Detail |
| Ethics and professional responsibility workshop | Milestone Completed | 7/1/2010 | 7/1/2010 | Detail |
| Internal Auditing Program | Milestone Completed | 8/31/2010 | 8/31/2010 | Detail |
| Corporate Reliability Standards Compliance Policy | Milestone Completed | 11/1/2010 | 11/1/2010 | Detail |
| Standards Application and Compliance Course developed | Milestone Completed | 12/31/2010 | 12/31/2010 | Detail |
| Standards Application and Compliance Course Training | Milestone Completed | 4/1/2011 | 3/9/2011 | Detail |

Section E: Interim and Future Reliability Risk**Abatement of Interim BPS Reliability Risk**

- E.1 While your organization is implementing this Mitigation Plan the reliability of the Bulk Power System (BPS) may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are, or may be, known or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take to mitigate this increased risk to the reliability of the BPS.** 
- Additional detailed information may be provided as an attachment:**

* Although the reliability of the BPS was not compromised by this incident, and while EKPC has not yet completed its mitigation plan, the actions already taken by EKPC have significantly mitigated the likelihood of any recurrence and the potential for any future risk to the BPS. The employee whose actions gave rise to the self report has been relieved of his duties and will not operate EKPC's system again. All other System Operators, trainees, operations engineers, and operations supervisors have been interviewed, and an alarm system has already been installed on the NSI Override function, all heightening awareness of the need for strict compliance with NERC standards, and particularly BAL-005-0, R6 and INT-009-1, R1. Further, upon learning of the employee's action, EKPC reviewed the previous 25 losses of generation and found no instance where the Net Scheduled Interchange override was used inappropriately. Thus, while completion of the mitigation plan will enhance reliability, the BPS is not at higher risk or otherwise negatively impacted pending such completion.

Prevention of Future BPS Reliability Risk

- E.2 Describe how successful completion of this Mitigation Plan will prevent or minimize the probability that your organization incurs further risk of Alleged violations of the same or similar reliability standards requirements in the future.** 
- Additional detailed information may be provided as an attachment:**

The self-reported violations resulted from the actions of a single employee. The employee in question has been suspended without pay and relieved of his duties, pending completion of the investigation into his actions and the determination of the appropriate disciplinary action to be taken against him. Although the final determination as to the appropriate disciplinary action has not yet been made, at the very minimum this employee will not operate EKPC's system in the future.

Despite this incident, EKPC is fully committed to maintaining a culture of compliance and ensuring strict adherence to the NERC Reliability standards. In keeping with this philosophy, EKPC has developed this mitigation plan to emphasize the need for the culture of compliance and bolster the training of EKPC's NERC-certified personnel and trainees in the importance of accurate execution of their duties in relation to following all EKPC policies and procedures and

*

NERC Reliability Standards. The development and implementation of an ethics and professional responsibility workshop and the NERC standards application and compliance course, and the addition of both courses to the System Operator training program, all attest to EKPC's commitment to compliance with NERC standards.

Additionally, this mitigation plan increases oversight of the operators' job performance in relation to adherence to the Reliability Standards. The placement of an Alarm System on the NSI Override function, along with the related required documentation and tracking, will enhance awareness and accountability for operator actions. The proposed internal auditing program will measure each operator's performance in following EKPC's policies and procedures, while the implementation of a new Corporate Reliability Standards Compliance Policy will emphasize the importance of being constantly aware of the need for strict adherence to the NERC Standards.

Finally, to show EKPC's commitment to the compliance process and to foster greater awareness of the role of compliance throughout the organization, EKPC has created a management position for Reliability Standards compliance.

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 this Mitigation Plan for acceptance by **SERC** and approval by NERC, and
- b) If applicable, certifies that this Mitigation Plan was completed on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- c) Acknowledges:
 1. I am **Denver York** of **East Kentucky Power Cooperative**
 2. I am qualified to sign this Mitigation Plan on behalf of **East Kentucky Power Cooperative**
 3. I understand **East Kentucky Power Cooperative's** obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure, including Appendix 4(C) (Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation (NERC CMEP))
 4. I have read and am familiar with the contents of this Mitigation Plan
 5. **East Kentucky Power Cooperative** agrees to comply with, this Mitigation Plan, including the timetable completion date, as accepted by **SERC** and approved by NERC

Authorized Signatory Denver York notified on 4/1/2011

Signed By Denver York on 4/1/2011

Section G: Regional Entity Contact

Please direct any questions regarding completion of this form to:

John Wolfmeyer
SERC Compliance Engineer
SERC Reliability Corporation
704-940-8216
jwolfmeyer@serc1.org



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Attachment e

**EKPC's Certification of Mitigation Plan
Completion as SERCMIT004980 for BAL-005-
0.1b R6 submitted July 12, 2011**

Logged in as:

Denver York

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All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SERC to verify completion of the Mitigation Plan. SERC may request such 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) Data or information submitted may become part of a public record upon final disposition of the possible violation, therefore any confidential information contained therein should be marked as such in accordance with the provisions of Section 1500 of the NERC Rules of Procedure.

Name of Registered Entity submitting certification: **East Kentucky Power Cooperative**

Date of Certification: 07/12/2011

Name of Standard of mitigation violation(s): BAL-005-0.1b

Mitigated information:

| Requirement | Tracking Number | Violation ID |
|-------------|-----------------|---------------|
| R6. | SERC2010-400623 | SERC201000539 |

Date of completion of the Mitigation Plan:

3/9/2011

Summary of all actions described in Part D of the releveant mitigation plan:

- All EKPC NERC-certified personnel were made aware of the specific actions taken by the employee and were advised that this behavior is not acceptable and that severe discipline will follow any such action.
- All EKPC System Operators attended a mandatory ethics and professional responsibility workshop, focusing on the specific issues they face in the execution of their job. This course was incorporated into EKPC's ongoing System Operator training program
- EKPC's Control Center Technology and Applications Team installed an alarm on the NSI Override function. Any future use of this function requires mandatory completion of documentation and all usage is subject to follow-up review by EKPC Management.
- EKPC's System Operations trainer developed a course specifically addressing the NERC standards for which EKPC is responsible and how those standards apply to, and impact, each System Operators' job. This course was mandatory for all EKPC NERC-certified personnel and operating trainees and was incorporated into EKPC's ongoing System Operator training program.
- EKPC developed an internal auditing program that focuses on measuring the EKPC's System Operators' performance against NERC standards and EKPC policies and procedures.
- EKPC completed and implemented a Corporate Reliability Standards Compliance Policy to educate all employees involved with NERC standards as to the importance of strict adherence to the standards.
- EKPC developed and periodically distributes an EKPC NERC Reliability Standards compliance newsletter to reinforce compliance education among those employees involved with NERC Standards.
- EKPC created the position of Reliability Standards Compliance Manager.

Description of the information provided to SERC for their evaluation:

Copies of alarms issued and operator log entries made when NSI Override used; Copy of Compliance Manager Job Description; Copy of NSI Override Alarm procedure evidence of reading by

operators; Samples of Compliance Newsletters; Outline of ethics and fraud seminar, seminar attendance log and e-mail to system operators; Copy of System Operator Auditing program, details of monthly audits and audit results spreadsheet; Copy of EKPC Board Policy re: Compliance; Copy of NERC Standards Training Plan for EKPC Operators, details of PJM's NERC Standards Training Module, Operator training summary report; Attestations from VP – Power Delivery and System Operations, Manager of System Operations, and System Operators.

Authorized Signatory Denver York notified on 7/12/2011

Signed By Denver York on 7/12/2011

Attachment f

Notice of Filing

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

East Kentucky Power Cooperative

Docket No. NP12-____-000

NOTICE OF FILING
April 30, 2012

Take notice that on April 30, 2012, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding East Kentucky Power Cooperative in the SERC Reliability Corporation 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