



NORTH AMERICAN ELECTRIC  
RELIABILITY CORPORATION

PRIVILEGED AND CONFIDENTIAL INFORMATION  
HAS BEEN REMOVED FROM THIS PUBLIC VERSION

November 5, 2010

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

**Re: NERC Abbreviated Notice of Penalty regarding Unidentified Registered Entity,  
FERC Docket No. NP11-\_\_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding Unidentified Registered Entity (URE), with information and details regarding the nature and resolution of the violation<sup>1</sup> discussed in detail in the Settlement Agreement (Attachment c) and the Disposition Document (Attachment d), 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)).<sup>2</sup>

During a Spot Check, SERC Reliability Corporation (SERC) discovered a violation of CIP-004-1 Requirement (R) 4.2.<sup>3</sup> URE self-reported additional instances of the same violation, for its failure to revoke access to Critical Cyber Assets within seven calendar days for three employees who no longer required such access. This Notice of Penalty is being filed with the Commission because SERC and URE have entered into a Settlement Agreement to resolve all outstanding issues arising from a preliminary and non-public assessment resulting in SERC's determination and findings of the enforceable violation of CIP-004-1 R4.2. According to the Settlement

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<sup>1</sup> 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.

<sup>2</sup> *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).

<sup>3</sup> The Screening worksheet incorrectly states that the violation was discovered during an Audit.

Agreement, URE admits that the facts set forth and agreed to by the parties constitute a violation and has agreed to the proposed penalty of five thousand dollars (\$5,000) to be assessed to URE, 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 SERC200800241 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 April 27, 2010, by and between SERC and URE. The details of the findings and the basis for the penalty are set forth in the Disposition Document. 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, 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	Unidentified Registered Entity	NOC-546	SERC200800241	CIP-004-1	4.2	Lower <sup>4</sup>	5,000

The text of the Reliability Standard at issue is set forth in the Disposition Document.

CIP-004-1 R4.2 - OVERVIEW<sup>5</sup>

SERC determined that URE, as a Balancing Authority and Transmission Operator, failed to revoke three employees’ physical access rights to Critical Cyber Assets within the required seven-day time frame.

The duration of the CIP-004-1 R4.2 violation was from July 29, 2008, the first instance when access to Critical Cyber Assets should have been revoked, through October 23, 2008, the last date access was revoked.

SERC concluded that this violation did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because in the first instance the employee had passed away and it would have been unlikely that a third-party would have acquired the deceased employee’s badge to access the Critical Cyber Assets. In the other two instances, URE had confiscated the access card badges. Additionally, while URE did not follow its processes for revocation of access in

<sup>4</sup> When NERC filed VRFs it originally assigned CIP-004-1 R4.2 as a “Lower” VRF. The Commission approved the VRF as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRF and on January 27, 2009, the Commission approved the modified “Medium” VRF. Therefore, the “Lower” VRF for CIP-004-1 R4.2 was in effect from June 18, 2007 until January 27, 2009, when the “Medium” VRF became effective.

<sup>5</sup> Further information on this violation is contained in the Disposition Document included as Attachment d.

these three instances, URE did comply with requirements for personal background checks, training and other precautions to ensure that employees would not misuse access.

## Statement Describing the Proposed Penalty, Sanction or Enforcement Action Imposed<sup>6</sup>

### Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, the Commission's July 3, 2008 and October 26, 2009 Guidance Orders,<sup>7</sup> the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on July 12, 2010. The NERC BOTCC approved the Settlement Agreement, including SERC's assessment of a five thousand dollar (\$5,000) financial penalty against URE 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 URE's first occurrence of violation of the subject NERC Reliability Standard;
2. Although the first instance was discovered in a spot check, URE self-reported additional instances of the violation;
3. SERC reported that URE was cooperative throughout the compliance enforcement process;
4. URE has a compliance program, as discussed in the Disposition Document;<sup>8</sup>
5. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
6. SERC determined that the violation did not pose a serious or substantial risk to the reliability of the BPS, as discussed above and in the Disposition Document; 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 approves the Settlement Agreement and believes that the assessed penalty of five thousand dollars (\$5,000) is appropriate for the violation and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the BPS.

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<sup>6</sup> See 18 C.F.R. § 39.7(d)(4).

<sup>7</sup> "North American Electric Reliability Corporation, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); North American Electric Reliability Corporation, "Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009)." See also North American Electric Reliability Corporation, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

<sup>8</sup> SERC considered the referenced compliance program to be a mitigating factor in URE's penalty determination.

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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.

### **Request for Confidential Treatment**

Information in and certain attachments to the instant Notice of Penalty include privileged and confidential information as defined by the Commission's regulations at 18 C.F.R. Part 388 and orders, as well as NERC Rules of Procedure including the NERC CMEP Appendix 4C. Specifically, this includes non-public information related to certain Reliability Standard violations, certain Regional Entity investigative files, Registered Entity sensitive business and confidential information exempt from the mandatory public disclosure requirements of the Freedom of Information Act, 5 U.S.C. 552, and should be withheld from public disclosure.

In accordance with the Commission's Rules of Practice and Procedure, 18 C.F.R. § 388.112, a non-public version of the information redacted from the public filing is being provided under separate cover.

Because certain of the attached documents are deemed "confidential" by NERC, Registered Entities and Regional Entities, NERC requests that the confidential, non-public information be provided special treatment in accordance with the above regulation.

### **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) SERC's Screening Worksheet for CIP-004-1 R4.2, included as Attachment a;
- b) URE's Self-Report for CIP-004-1 R4.2, included as Attachment b;
- c) Settlement Agreement by and between SERC and URE executed April 27, 2010, included as Attachment c;
  - i. URE's Mitigation Plan MIT-08-1809 for CIP-004-1 R4.2 submitted June 15, 2009, included as Appendix A-1 to the Settlement Agreement;
  - ii. URE's Certification of Completion of the Mitigation Plan for CIP-004-1 R4.2 dated August 10, 2009, included as Appendix A-2 to the Settlement Agreement; and
  - iii. SERC's Verification of Completion of the Mitigation Plan for CIP-004-1 R4.2 dated September 16, 2009, included as Appendix A-3 to the Settlement Agreement.
- d) Disposition Document, included as Attachment d:

### **A Form of Notice Suitable for Publication<sup>9</sup>**

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

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<sup>9</sup> See 18 C.F.R. § 39.7(d)(6).

**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 David N. Cook* Sr. Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, NJ 08540-5721 (609) 452-8060 (609) 452-9550 – facsimile gerry.cauley@nerc.net david.cook@nerc.net</p> <p>Kenneth B. Keels, Jr.* Director of Compliance Andrea Koch* Manager, Compliance Enforcement and Mitigation SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 940-8214 (704) 357-7914 – facsimile kkeels@serc1.org akoch@serc1.org</p> <p>*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.</p>	<p>Rebecca J. Michael* Assistant General Counsel V. Davis Smith* Attorney North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, DC 20005-3801 (202) 393-3998 (202) 393-3955 – facsimile rebecca.michael@nerc.net davis.smith@nerc.net</p> <p>R. Scott Henry* President and Chief Executive Officer SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 940-8202 (704) 357-7914 – facsimile shenry@serc1.org</p> <p>Marisa A. Sifontes* General Counsel Jacqueline E. Carmody* Legal Counsel SERC Reliability Corporation 2815 Coliseum Centre Drive, Suite 500 Charlotte, NC 28217 (704) 494-7775 (704) 357-7914 – facsimile msifontes@serc1.org jcarmody@serc1.org</p>
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## Conclusion

Accordingly, NERC respectfully requests that the Commission accept this Abbreviated NOP as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley  
President and Chief Executive Officer  
David N. Cook  
Sr. Vice President and General Counsel  
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/s/ Rebecca J. Michael  
Rebecca J. Michael  
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(202) 393-3998  
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rebecca.michael@nerc.net  
davis.smith@nerc.net

cc: Unidentified Registered Entity  
SERC Reliability Corporation

Attachments

# **Attachment d**

## **Disposition Document**



**DISPOSITION OF VIOLATION<sup>1</sup>**  
**Dated June 12, 2010**

NERC TRACKING NO.	REGIONAL ENTITY TRACKING NO.	NOC#
<b>SERC200800241</b>	<b>08-165</b>	<b>NOC-546</b>

REGISTERED ENTITY <b>Unidentified Registered Entity (URE)</b>	NERC REGISTRY ID
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REGIONAL ENTITY  
**SERC Reliability Corporation (SERC)**

**I. VIOLATION INFORMATION**

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
<b>CIP-004-1</b>	<b>4</b>	<b>4.2</b>	<b>Lower<sup>2</sup></b>	<b>N/A<sup>3</sup></b>

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

**Standard CIP-004 requires that personnel having authorized cyber or authorized unescorted physical access to Critical Cyber Assets, including contractors and service vendors, have an appropriate level of personnel risk assessment, training, and security awareness. Standard CIP-004 should be read as part of a group of standards numbered Standards CIP-002 through CIP-009.**

**CIP-004-1 R4 provides:  
Access — The Responsible Entity<sup>4</sup> shall maintain list(s) of personnel with authorized cyber or authorized unescorted physical access to Critical Cyber Assets,**

<sup>1</sup> For purposes of this document and attachments hereto, each violation at issue is described as a “violation,” regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

<sup>2</sup> When NERC filed VRFs it originally assigned CIP-004-1 R4.2 as a “Lower” VRF. The Commission approved the VRF as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRF and on January 27, 2009, the Commission approved the modified “Medium” VRF. Therefore, the “Lower” VRF for CIP-004-1 R4.2 was in effect from June 18, 2007 until January 27, 2009, when the “Medium” VRF became effective.

<sup>3</sup> At the time of the violation, CIP-004-1 had Levels of Non-Compliance instead of Violation Severity Levels (VSLs). On June 30, 2009, NERC submitted VSLs for the CIP-002-1 through CIP-009-1 Reliability Standards. On March 18, 2010, the Commission approved the VSLs as filed, but directed NERC to submit modifications.

<sup>4</sup> Within the text of the Reliability Standard, “Responsible Entity” shall mean: Reliability Coordinator, Balancing Authority, Interchange Authority, Transmission Service Provider, Transmission Owner,

including their specific electronic and physical access rights to Critical Cyber Assets.

**R4.2 The Responsible Entity shall revoke such access to Critical Cyber Assets within 24 hours for personnel terminated for cause and within seven calendar days for personnel who no longer require such access to Critical Cyber Assets.**

#### VIOLATION DESCRIPTION

**During a Spot Check of URE, SERC identified a violation of CIP-004-1 R4.2 because URE did not revoke access to Critical Cyber Assets for several weeks after an employee had passed away, beginning on July 29, 2008 and continuing until September 4, 2008. After the Spot Check, URE initiated a corporate-wide comprehensive review of its access control system.**

**URE submitted a Self-Report to SERC stating that it discovered two additional instances where records could not be located to demonstrate badge deactivations occurred in a timely manner for personnel who no longer required access to Critical Cyber Assets. One incident identified by URE involved the voluntary termination of a contractor, who had returned to school. The badge had been confiscated and provided to the badging office, but URE found on review that there was no record of when the badge was confiscated. This violation was deemed to have existed from September 30, 2008, when the employee left, through October 23, 2008, when the employee's access was removed. The other incident identified involved the voluntary termination of another employee. That employee's badge was collected on the last day of employment, but instead of being returned to the badging office per URE's access policies, it was physically retained in a locked desk by the employee's manager. The access had been physically removed by confiscation and lock-down of the access card.**

#### RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

**SERC Compliance Enforcement Staff concluded that there was no serious or substantial risk to the reliability of the bulk power system because in the first instance the employee had passed away and it would have been unlikely that a third-party would have acquired the deceased employee's badge to access the Critical Cyber Assets. In the other two instances, URE had confiscated the access card badges. Additionally, while URE did not follow its processes for revocation of access in these three instances, URE did comply with requirements for personal background checks, training and other precautions to ensure that employees would not misuse access.**

IS THERE A SETTLEMENT AGREEMENT      YES       NO

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY)      YES   
ADMITS TO IT      YES   
DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS)      YES

WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY

ACCEPTS IT/ DOES NOT CONTEST IT      YES

**III.      DISCOVERY INFORMATION**

METHOD OF DISCOVERY

SELF-REPORT<sup>5</sup>        
SELF-CERTIFICATION        
COMPLIANCE AUDIT        
COMPLIANCE VIOLATION INVESTIGATION        
SPOT CHECK        
COMPLAINT        
PERIODIC DATA SUBMITTAL        
EXCEPTION REPORTING     

DURATION DATE(S) **July 29, 2008, first instance of non-compliance, through October 23, 2008, when the last instance of non-compliance was mitigated**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **After the Spot Check identified one instance of violation, URE self-reported two additional instances of the violation.**

IS THE VIOLATION STILL OCCURRING  
YES       NO   
IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED      YES       NO   
PRE TO POST JUNE 18, 2007 VIOLATION      YES       NO

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<sup>5</sup> SERC considered the self-reported violations to be related to the results of the Spot-Check in its consideration of the appropriate penalty for these issues.

**IV. MITIGATION INFORMATION**

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO. **MIT-08-1809**  
DATE SUBMITTED TO REGIONAL ENTITY **June 15, 2009**  
DATE ACCEPTED BY REGIONAL ENTITY **July 7, 2009**  
DATE APPROVED BY NERC **July 30, 2009**  
DATE PROVIDED TO FERC **August 3, 2009**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

MITIGATION PLAN COMPLETED YES  NO

EXPECTED COMPLETION DATE **August 1, 2009**  
EXTENSIONS GRANTED  
ACTUAL COMPLETION DATE **July 23, 2009**

DATE OF CERTIFICATION LETTER **August 10, 2009**  
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **July 23, 2009**

DATE OF VERIFICATION LETTER **September 16, 2009**  
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **July 23, 2009**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

- **URE created an independent process for the reconciliation of terminations and transfers of URE's CIP personnel against changes in physical and electronic access to Critical Cyber Assets. These new reports are sent to owners of the badge system, to revoke physical access rights upon termination.**
- **URE implemented a new software solution to automatically transfer access changes from the HR system to the badge system to eliminate the previous interface failures.**
- **URE provided all managers with responsibility for employees with access to Critical Cyber Assets additional awareness information and instructions that explain the steps required for timely revocation of access. The instructions reinforce training, which is provided annually on topics relevant to NERC CIP including training on access revocation.**

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- **A presentation was given to managers of employees with access to Critical Cyber Assets to reinforce the required steps per the CIP Standard;**
- **URE's revised procedure on physical access to control center facilities;**
- **A table showing URE's efforts to reduce the overall number of personnel with access to Critical Cyber Assets to limit the potential for future errors;**
- **A checklist developed by URE to process employees as they are terminated or retire. This checklist includes a step to document removal of Cyber Access;**
- **Copy of an e-mail to all managers who have employees with access to Critical Cyber Assets regarding the importance of and requirement to remove access in a timely manner. This e-mail reinforced the required steps per the CIP Standard; and**
- **Screen shots of new online workflow processes showing the daily workflow of tickets for personnel that must have their access to Critical Cyber Assets removed.**

**V. PENALTY INFORMATION**

TOTAL ASSESSED PENALTY OR SANCTION OF **\$5,000** FOR 1 VIOLATION OF A RELIABILITY STANDARD.

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

PRIOR VIOLATIONS OF ANY OF THE INSTANT RELIABILITY STANDARD(S) OR REQUIREMENT(S) THEREUNDER  
YES  NO

LIST ANY CONFIRMED OR SETTLED VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

PRIOR VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR  
REQUIREMENTS THEREUNDER

YES  NO

LIST ANY PRIOR CONFIRMED OR SETTLED VIOLATIONS AND  
STATUS

ADDITIONAL COMMENTS

(2) THE DEGREE AND QUALITY OF COOPERATION BY THE REGISTERED  
ENTITY (IF THE RESPONSE TO FULL COOPERATION IS "NO," THE  
ABBREVIATED NOP FORM MAY NOT BE USED.)

FULL COOPERATION YES  NO   
IF NO, EXPLAIN

(3) THE PRESENCE AND QUALITY OF THE REGISTERED ENTITY'S  
COMPLIANCE PROGRAM

IS THERE A DOCUMENTED COMPLIANCE PROGRAM<sup>6</sup>

YES  NO

EXPLAIN

**According to URE, it has a well established and functional compliance program that is implemented across the organization. It is operated independently from the operating units and is supported by URE's senior management.**

EXPLAIN SENIOR MANAGEMENT'S ROLE AND INVOLVEMENT  
WITH RESPECT TO THE REGISTERED ENTITY'S COMPLIANCE  
PROGRAM, INCLUDING WHETHER SENIOR MANAGEMENT  
TAKES ACTIONS THAT SUPPORT THE COMPLIANCE PROGRAM,  
SUCH AS TRAINING, COMPLIANCE AS A FACTOR IN EMPLOYEE  
EVALUATIONS, OR OTHERWISE.

YES  NO

EXPLAIN

**According to URE, senior management plays an active role and participates in URE's compliance program.**

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<sup>6</sup> SERC considered the referenced compliance program to be a mitigating factor in URE's penalty determination.

(4) ANY ATTEMPT BY THE REGISTERED ENTITY TO CONCEAL THE VIOLATION(S) OR INFORMATION NEEDED TO REVIEW, EVALUATE OR INVESTIGATE THE VIOLATION.

YES  NO   
IF YES, EXPLAIN

(5) ANY EVIDENCE THE VIOLATION(S) WERE INTENTIONAL (IF THE RESPONSE IS "YES," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

YES  NO   
IF YES, EXPLAIN

(6) ANY OTHER MITIGATING FACTORS FOR CONSIDERATION

YES  NO   
IF YES, EXPLAIN

(7) ANY OTHER AGGRAVATING FACTORS FOR CONSIDERATION

YES  NO   
IF YES, EXPLAIN

(8) ANY OTHER EXTENUATING CIRCUMSTANCES

YES  NO   
IF YES, EXPLAIN

EXHIBITS (SEE ATTACHMENTS TO THE NOTICE OF PENALTY):

SOURCE DOCUMENT  
**SERC's Screening Worksheet URE's Self-Report**

MITIGATION PLAN  
**URE's Mitigation Plan MIT-08-1809 submitted June 15, 2009**

CERTIFICATION BY REGISTERED ENTITY  
**URE's Certification of Completion of the Mitigation Plan dated August 10, 2009**

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR  
SANCTION ISSUED

DATE: OR N/A

SETTLEMENT DISCUSSIONS COMMENCED

DATE: **August 7, 2009** OR N/A

NOTICE OF CONFIRMED VIOLATION ISSUED

DATE: OR N/A

SUPPLEMENTAL RECORD INFORMATION

DATE(S) OR N/A

REGISTERED ENTITY RESPONSE CONTESTED

FINDINGS  PENALTY  BOTH  NO CONTEST

HEARING REQUESTED

YES  NO

DATE

OUTCOME

APPEAL REQUESTED