



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION

June 29, 2011

Ms. Kimberly D. 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 violations¹ discussed in detail in the Settlement Agreement (Attachment a) and the Disposition Documents (Attachment b), 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)).²

This NOP is being filed with the Commission because Western Electricity Coordinating Council (WECC) and URE have entered into a Settlement Agreement to resolve all outstanding issues arising from WECC's determination and findings of the violations of CIP-002-1 R1, CIP-003-1 R1, CIP-004-1 R4, and MOD-010-0 R2. According to the Settlement Agreement, URE neither admits nor denies the violations, but has agreed to the assessed penalty of twenty-two thousand dollars (\$22,000), in addition to other remedies and actions to mitigate the instant violations and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violations identified as NERC Violation Tracking Identification Numbers WECC201001913, WECC201001916, WECC201001914, and WECC201001882 are being filed in accordance with the NERC Rules of Procedure and the CMEP.

¹ 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.

² *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).

Statement of Findings Underlying the Violations

This NOP incorporates the findings and justifications set forth in the Settlement Agreement executed on January 5, 2011, by and between WECC and URE. The details of the findings and the basis for the penalty are set forth in the Disposition Documents. This NOP 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.

NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Duration	Total Penalty (\$)
NOC-768	WECC201001913	CIP-002-1	1	Lower ³	7/1/08-1/6/10	22,000
	WECC201001916	CIP-003-1	1	Lower ⁴	7/1/08-10/4/09	
	WECC201001914	CIP-004-1	4	Lower ⁵	1/1/09-1/7/09	
	WECC201001882	MOD-010-0	2	Medium	12/24/09-1/14/10	

The text of the Reliability Standards at issue and further information on the subject violations are set forth in the Disposition Documents.

CIP-002-1 R1 - OVERVIEW

WECC conducted an on-site CIP Spot Check at URE’s facilities. WECC determined that URE did not include a risk-based assessment methodology for two required types of assets, specifically blackstart generators and special protection systems. Instead, URE included declaratory statements assessing its degree of criticality, which was insufficient under the Standard.

³ CIP-002-1 R1 and R1.2 each have a “Medium” Violation Risk Factor (VRF) and R1.1, R1.2.1, R1.2.2, R1.2.3, R1.2.4, R1.2.5, R1.2.6 and R1.2.7 each have a “Lower” VRF. When NERC filed VRFs it originally assigned CIP-002-1 R1 and R1.2 “Lower” VRFs. The Commission approved the VRF as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRFs and on January 27, 2009, the Commission approved the modified “Medium” VRFs. Therefore, the “Lower” VRFs for CIP-002-1 R1 and R1.2 were in effect from June 18, 2007 until January 27, 2009 when the “Medium” VRFs became effective.

⁴ CIP-003-1 R1 has a “Medium” VRF; R1.1, R1.2 and R1.3 each have a “Lower” VRF. When NERC filed VRFs it originally assigned CIP-003-1 R1 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-003-1 R1 was in effect from June 18, 2007 until January 27, 2009, when the “Medium” VRF became effective.

⁵ CIP-004-1 R4 and R4.1 each have a “Lower” VRF; R4.2 has a “Medium” VRF. When NERC filed VRFs, it originally assigned CIP-004-1 R4.2 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.



CIP-003-1 R1 - OVERVIEW

WECC conducted an on-site CIP Spot Check at URE's facilities. WECC determined that URE did not document and implement a cyber security policy that did not fully address the requirements in Standards CIP-002 through CIP-009.

CIP-004-1 R4 - OVERVIEW

WECC notified URE that a Self-Certification specific to NERC Reliability Standards CIP-002-1 through CIP-009-1 was due. URE submitted a Self-Certification, which WECC reviewed during the CIP Spot Check. WECC determined that URE did not perform quarterly reviews of its list of personnel who have access to Critical Cyber Assets.

MOD-010-0 R2 - OVERVIEW

URE submitted a Self-Report for this violation. WECC determined that URE did not file comments on a specific base case by the December 24, 2009 scheduled deadline published by WECC.

Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed⁶

Basis for Determination

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, the Commission's July 3, 2008, October 26, 2009 and August 27, 2010 Guidance Orders,⁷ the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on June 10, 2011. The NERC BOTCC approved the Settlement Agreement, including WECC's assessment of a twenty-two thousand dollar (\$22,000) 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 violations at issue.

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

1. URE self-reported the violation of MOD-010-0 R2;
2. WECC reported that URE was cooperative throughout the compliance enforcement process;
3. URE had a compliance program at the time of the violation which WECC considered a mitigating factor, as discussed in the Disposition Documents;
4. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;

⁶ See 18 C.F.R. § 39.7(d)(4).

⁷ *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).

5. WECC determined that the violations posed a minimal risk, except for the CIP-002-1 R1 violation, and did not pose a serious or substantial risk to the reliability of the bulk power system (BPS), as discussed in the Disposition Documents; and
6. WECC 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 twenty-two thousand dollars (\$22,000) is appropriate for the violations 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 NOP 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 NOP include 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 to the Rules of Procedure. This includes non-public information related to certain Reliability Standard violations, certain Regional Entity investigative files, Registered Entity sensitive business information and confidential information regarding critical energy infrastructure.

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 parts of this NOP are the following documents:

- a) Settlement Agreement by and between WECC and URE executed January 5, 2011, included as Attachment a;
- b) Disposition Document for Common Information, included as Attachment b;
 - i. Disposition Document for CIP-002-1 R1, included as Attachment b.1;
 - ii. Disposition Document for CIP-003-1 R1, included as Attachment b.2;
 - iii. Disposition Document for CIP-004-1 R4, included as Attachment b.3; and
 - iv. Disposition Document for MOD-010-0 R2, included as Attachment b.4.
- c) Record Documents for CIP-002-1 R1:

- i. WECC's Regional Determination of Alleged Violation Summary for CIP-002-1 R1, included as Attachment c.1;
 - ii. URE's Mitigation Plan MIT-08-2834 for CIP-002-1 R1, included as Attachment c.2;⁸
 - iii. URE's Certification of Mitigation Plan Completion for CIP-002-1 R1, included as Attachment c.3;⁹ and
 - iv. WECC's Verification of Mitigation Plan Completion for CIP-002-1 R1, included as Attachment c.4.
- d) Record Documents for CIP-003-1 R1:
- i. WECC's Regional Determination of Alleged Violation Summary for CIP-003-1 R1, included as Attachment d.1;
 - ii. URE's Mitigation Plan MIT-08-2835 for CIP-003-1 R1, included as Attachment d.2;
 - iii. URE's Certification of Mitigation Plan Completion for CIP-003-1 R1, included as Attachment d.3; and
 - iv. WECC's Verification of Mitigation Plan Completion for CIP-003-1 R1, included as Attachment d.4.
- e) Record Documents for CIP-004-1 R4:
- i. URE's Self-Certification Form for CIP-004-1 R4, included as Attachment e.1;
 - ii. URE's Mitigation Plan MIT-08-2797 for CIP-004-1 R4, included as Attachment e.2;
 - iii. URE's Certification of Mitigation Plan Completion for CIP-004-1 R4, included as Attachment e.3; and
 - iv. WECC's Verification of Mitigation Plan Completion for CIP-004-1 R4, included as Attachment e.4.
- f) Record Documents for MOD-010-0 R2:
- i. URE's Self-Reporting Form for MOD-010-0 R2, included as Attachment f.1;¹⁰
 - ii. URE's Mitigation Plan MIT-09-2448 for MOD-010-0 R2, included as Attachment f.2;
 - iii. URE's Certification of Mitigation Plan Completion for MOD-010-0 R2, included as Attachment f.3; and
 - iv. WECC's Verification of Mitigation Plan Completion for MOD-010-0 R2, included as Attachment f.4.

A Form of Notice Suitable for Publication¹¹

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

⁸ Mitigation Plans MIT-08-2834, MIT-08-2835, and MIT-08-2797 each are dated June 1, 2010.

⁹ The Certifications of Mitigation Plan Completion for Mitigation Plans MIT-08-2834, MIT-08-2835, and MIT-08-2797 each are dated June 1, 2010.

¹⁰ The Self-Report incorrectly states that the MOD-010-0 R2 violation applied to URE's Planning Authority function.

¹¹ 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 david.cook@nerc.net</p> <p>Mark Maher* Chief Executive Officer Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (360) 713-9598 (801) 582-3918 – facsimile Mark@wecc.biz</p> <p>Constance White* Vice President of Compliance Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6855 (801) 883-6894 – facsimile CWhite@wecc.biz</p> <p>Sandy Mooy* Associate General Counsel Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 819-7658 (801) 883-6894 – facsimile SMooy@wecc.biz</p>	<p>Rebecca J. Michael* Associate General Counsel for Regulatory and Corporate Matters 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>Christopher Luras* Manager of Compliance Enforcement Western Electricity Coordinating Council 155 North 400 West, Suite 200 Salt Lake City, UT 84103 (801) 883-6887 (801) 883-6894 – facsimile CLuras@wecc.biz</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>
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Unidentified Registered Entity
June 29, 2011
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PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION

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
North American Electric Reliability Corporation
116-390 Village Boulevard
Princeton, NJ 08540-5721
(609) 452-8060
(609) 452-9550 – facsimile
david.cook@nerc.net

/s/ Rebecca J. Michael
Rebecca J. Michael
Associate General Counsel for Regulatory
and Corporate Matters
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

cc: Unidentified Registered Entity
Western Electricity Coordinating Council

Attachments



Attachment b

Disposition Document for Common Information

DISPOSITION OF VIOLATION¹
INFORMATION COMMON TO INSTANT VIOLATIONS
Dated May 9, 2011

REGISTERED ENTITY NERC REGISTRY ID NOC#
Unidentified Registered Entity **NCRXXXXX** **NOC-768**
(URE)
REGIONAL ENTITY
Western Electricity Coordinating Council (WECC)

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

I. PENALTY INFORMATION

TOTAL ASSESSED PENALTY OR SANCTION OF **\$22,000** FOR **FOUR** VIOLATIONS OF RELIABILITY STANDARDS.

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

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

LIST VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

¹ 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.

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Attachment b

PREVIOUSLY FILED VIOLATIONS OF OTHER RELIABILITY
STANDARD(S) OR REQUIREMENTS THEREUNDER

YES NO

LIST 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
YES NO UNDETERMINED
EXPLAIN

**WECC evaluated URE's Internal Compliance Program (ICP) during
an on-site Compliance Audit and considered it a mitigating factor
when determining the penalty amount.**

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.

See above.

(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

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Attachment b

(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

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR
SANCTION ISSUED

DATE: **6/14/10** OR N/A

SETTLEMENT REQUEST DATE

DATE: **7/29/10** 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 DID NOT CONTEST

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Attachment b

HEARING REQUESTED

YES NO

DATE

OUTCOME

APPEAL REQUESTED

Disposition Document for CIP-002-1 R1

**PRIVILEGED AND CONFIDENTIAL INFORMATION
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Attachment b.1

DISPOSITION OF VIOLATION

Dated May 9, 2011

NERC TRACKING NO. **WECC201001913** REGIONAL ENTITY TRACKING NO. **URE_WECC20102193**

I. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
CIP-002-1	1	1.2.4, 1.2.6	Lower¹	N/A²

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

The purpose statement of CIP-002-1 provides in pertinent part: “Standard CIP-002 requires the identification and documentation of the Critical Cyber Assets associated with the Critical Assets that support the reliable operation of the Bulk Electric System. These Critical Assets are to be identified through the application of a risk-based assessment.”

CIP-002-1 R1 provides:

R1. Critical Asset Identification Method — The Responsible Entity^[3] shall identify and document a risk-based assessment methodology to use to identify its Critical Assets.

R1.1. The Responsible Entity shall maintain documentation describing its risk-based assessment methodology that includes procedures and evaluation criteria.

¹ CIP-002-1 R1 and R1.2 each have a “Medium” Violation Risk Factor (VRF) and R1.1, R1.2.1, R1.2.2, R1.2.3, R1.2.4, R1.2.5, R1.2.6 and R1.2.7 each have a “Lower” VRF. When NERC filed VRFs it originally assigned CIP-002-1 R1 and R1.2 “Lower” VRFs. The Commission approved the VRF as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRFs and on January 27, 2009, the Commission approved the modified “Medium” VRFs. Therefore, the “Lower” VRFs for CIP-002-1 R1 and R1.2 were in effect from June 18, 2007 until January 27, 2009 when the “Medium” VRFs became effective.

² At the time of the violations, no VSLs were in effect for CIP-002-1. 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.

³ Within the text of Standard CIP-002, “Responsible Entity” shall mean Reliability Coordinator, Balancing Authority, Interchange Authority, Transmission Service Provider, Transmission Owner, Transmission Operator, Generator Owner, Generator Operator, Load Serving Entity, NERC, and Regional Reliability Organizations.

R1.2. The risk-based assessment shall consider the following assets:

R1.2.1. Control centers and backup control centers performing the functions of the entities listed in the Applicability section of this standard.

R1.2.2. Transmission substations that support the reliable operation of the Bulk Electric System.

R1.2.3. Generation resources that support the reliable operation of the Bulk Electric System.

R1.2.4. Systems and facilities critical to system restoration, including blackstart generators and substations in the electrical path of transmission lines used for initial system restoration.

R1.2.5. Systems and facilities critical to automatic load shedding under a common control system capable of shedding 300 MW or more.

R1.2.6. Special Protection Systems that support the reliable operation of the Bulk Electric System.

R1.2.7. Any additional assets that support the reliable operation of the Bulk Electric System that the Responsible Entity deems appropriate to include in its assessment.

(Footnote added).

VIOLATION DESCRIPTION

WECC conducted an on-site CIP Spot Check at URE's facilities. The Spot Check Team reviewed current and previous versions of URE's risk-based assessment methodology (RBAM). The Spot Check Team found that the RBAM version 1 that was in effect until version 2 to effect in 2009, did not include separate criteria to assess special protection systems (SPS) and systems and facilities critical to system restoration (blackstart generators). The Spot Check Team discovered the same deficiencies with the RBAM 2009 version 2 which was in effect until the fall of 2009.

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Attachment b.1

URE’s RBAM Version 3 failed to establish sufficient evaluation criteria for systems and facilities critical to system restoration. URE’s evaluation criterion was deficient because it used redundancy as part of its evaluation criteria.⁴

URE’s RBAM Version 4, which is the current version was determined to successfully meet all the requirements of the Standard.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

The violation did not pose a serious or substantial risk to the reliability of the BPS because URE did consider blackstart generators and SPS, and did include declaratory statements as to their degree of criticality. The violation posed a moderate potential risk to the reliability to the BPS because the absence of evaluation criteria for blackstart generation units and SPS in its RBAM could cause such assets to be overlooked.

II. DISCOVERY INFORMATION

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

DURATION DATE(S) 7/1/08 (when URE was required to be compliant with the Standard as a “Table 1 entity”) through 1/7/10

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **Spot Check**

IS THE VIOLATION STILL OCCURRING	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
IF YES, EXPLAIN				
REMEDIAL ACTION DIRECTIVE ISSUED	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
PRE TO POST JUNE 18, 2007 VIOLATION	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>

⁴ “Redundancy should not be considered to reduce the criticality of any asset...” NERC *Security Guideline for the Electricity Sector: Identifying Cyber Assets*, Version 1.0, Effective Date: September 17, 2009, at 15.

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Attachment b.1

III. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.	MIT-08-2834
DATE SUBMITTED TO REGIONAL ENTITY	6/2/10⁵
DATE ACCEPTED BY REGIONAL ENTITY	8/25/10
DATE APPROVED BY NERC	10/5/10
DATE PROVIDED TO FERC	10/6/10

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

MITIGATION PLAN COMPLETED YES NO

EXPECTED COMPLETION DATE **Submitted as complete**
EXTENSIONS GRANTED
ACTUAL COMPLETION DATE **1/7/10**

DATE OF CERTIFICATION LETTER	6/2/10⁶
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF	1/7/10

DATE OF VERIFICATION LETTER	9/15/10
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF	1/7/10

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

URE modified its RBAM to add to its evaluation criteria specific language for “systems and facilities critical to system restoration” and “Special Protection Systems.”

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

- **CIP-002-1 R1 Risk Based Assessment Methodology version 4**

⁵ The Mitigation Plan is dated June 1, 2010.

⁶ The Certification of Mitigation Plan Completion is dated June 1, 2010.

EXHIBITS:

SOURCE DOCUMENT

WECC's Regional Determination of Alleged Violation Summary for CIP-002-1 R1

MITIGATION PLAN

URE's Mitigation Plan MIT-08-2834 for CIP-002-1 R1

CERTIFICATION BY REGISTERED ENTITY

URE's Certification of Mitigation Plan Completion for CIP-002-1 R1

VERIFICATION BY REGIONAL ENTITY

WECC's Notice of Mitigation Plan and Completed Mitigation Plan Acceptance

Disposition Document for CIP-003-1 R1

DISPOSITION OF VIOLATION

Dated May 9, 2011

NERC TRACKING NO. **WECC201001916** REGIONAL ENTITY TRACKING NO. **URE_WECC20102196**

I. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
CIP-003-1	1	1.1	Lower¹	N/A²

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

The purpose statement of CIP-003-1 provides in pertinent part: “Standard CIP-003 requires that Responsible Entities have minimum security management controls in place to protect Critical Cyber Assets. Standard CIP-003 should be read as part of a group of standards numbered Standards CIP-002 through CIP-009....”

CIP-003-1 R1 provides:

R1. Cyber Security Policy — The Responsible Entity^[3] shall document and implement a cyber security policy that represents management’s commitment and ability to secure its Critical Cyber Assets. The Responsible Entity shall, at minimum, ensure the following:

R1.1. The cyber security policy addresses the requirements in Standards CIP-002 through CIP-009, including provision for emergency situations.

¹ CIP-003-1 R1 has a “Medium” Violation Risk Factor (VRF); R1.1, R1.2 and R1.3 each have a “Lower” VRF. When NERC filed VRFs it originally assigned CIP-003-1 R1 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-003-1 R1 was in effect from June 18, 2007 until January 27, 2009, when the “Medium” VRF became effective.

² At the time of the violations, no VSLs were in effect for CIP-003-1. 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.

³ Within the text of Standard CIP-003, “Responsible Entity” shall mean Reliability Coordinator, Balancing Authority, Interchange Authority, Transmission Service Provider, Transmission Owner, Transmission Operator, Generator Owner, Generator Operator, Load Serving Entity, NERC, and Regional Reliability Organizations.

R1.2. The cyber security policy is readily available to all personnel who have access to, or are responsible for, Critical Cyber Assets.

R1.3. Annual review and approval of the cyber security policy by the senior manager assigned pursuant to R2.

(Footnote added).

VIOLATION DESCRIPTION

WECC conducted an on-site CIP Spot Check at URE's facilities. The WECC Spot Check Team reviewed several versions of URE's Cyber Security Policy. The first two versions of the URE Cyber Security Policy had no direct policy statements and were limited to brief summaries regarding the purpose of each applicable Standard. The third version of the URE Cyber Security Policy also failed to provide policies and or procedures specific to any of the relevant Standards. The fourth version made minor changes related to the required time frames for documenting exceptions from the Standard. The document did generally address CIP-002 through CIP-009 but each of these four versions failed to demonstrate that URE had documented and implemented a cyber security policy that specifically addressed all 41 of the requirements in CIP-002 through CIP-009, thereby violating CIP-003-1.

URE's Cyber Security Policy Version 4.0 reviewed during the WECC Spot Check did address all the requirements of CIP-003-1 R1.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

The violation posed a minimal risk to the reliability of the bulk power system (BPS) because although URE's cyber security policies did not specifically address each CIP-002 through CIP-009 requirement in its policy document, it did generally address the cyber security components covered in those standards and there was no evidence that URE failed to comply with any of these requirements. There is also no evidence that URE's commitment to compliance with those requirements was not hindered by the incomplete policies. URE demonstrated that it has had security management policies in place to protect Critical Cyber Assets since October 4, 2009 and had been making improvements to its Cyber Security Policy throughout the period of noncompliance.

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.2

II. DISCOVERY INFORMATION

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

DURATION DATE(S) **7/1/08 (when URE was required to be compliant with the Standard as a "Table 1 entity") through 10/5/09**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **Spot Check**

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

III. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.	MIT-08-2835
DATE SUBMITTED TO REGIONAL ENTITY	6/2/10⁴
DATE ACCEPTED BY REGIONAL ENTITY	8/25/10
DATE APPROVED BY NERC	10/5/10
DATE PROVIDED TO FERC	10/6/10

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

MITIGATION PLAN COMPLETED YES NO

EXPECTED COMPLETION DATE **Submitted as complete**
EXTENSIONS GRANTED
ACTUAL COMPLETION DATE **10/5/09**

⁴ The Mitigation Plan is dated June 1, 2010.

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.2

DATE OF CERTIFICATION LETTER **6/2/10⁵**
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **10/5/09**

DATE OF VERIFICATION LETTER **8/30/10**
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **10/5/09**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT
RECURRENCE

URE revised its Cyber Security Policy and issued revision 4.0. The new revision alters the Policy Statement section, and specifically lists each of the forty-one Requirements of the subject Standards. URE posted the revised policy document and distributed it to all individuals having unescorted physical or electronic cyber access to Critical Cyber Assets of the company.

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

- **URE's Cyber Security Policy Version 4.0**

EXHIBITS:

SOURCE DOCUMENT

WECC's Regional Determination of Alleged Violation Summary for CIP-003-1 R1

MITIGATION PLAN

URE's Mitigation Plan MIT-08-2835 for CIP-003-1 R1

CERTIFICATION BY REGISTERED ENTITY

URE's Certification of Mitigation Plan Completion for CIP-003-1 R1

VERIFICATION BY REGIONAL ENTITY

WECC's Notice of Mitigation Plan and Completed Mitigation Plan Acceptance

⁵ The Certification of Mitigation Plan Completion is dated June 1, 2010.

Disposition Document for CIP-004-1 R4

DISPOSITION OF VIOLATION

Dated May 9, 2011

NERC TRACKING NO. **WECC201001914** REGIONAL ENTITY TRACKING NO. **URE_WECC20102194**

I. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
CIP-004-1	4	4.1	Lower¹	N/A²

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

The purpose statement of CIP-004-1 provides in pertinent part: “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:

R4. Access — The Responsible Entity^[3] shall maintain list(s) of personnel with authorized cyber or authorized unescorted physical access to Critical Cyber Assets, including their specific electronic and physical access rights to Critical Cyber Assets.

R4.1. The Responsible Entity shall review the list(s) of its personnel who have such access to Critical Cyber Assets quarterly, and update the list(s) within seven calendar days of

¹ CIP-004-1 R4 and R4.1 each have a “Lower” VRF; R4.2 has a “Medium” VRF. When NERC filed VRFs, it originally assigned CIP-004-1 R4.2 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.

² At the time of the violations, no VSLs were in effect for CIP-004-1. 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.

³ Within the text of Standard CIP-004, “Responsible Entity” shall mean Reliability Coordinator, Balancing Authority, Interchange Authority, Transmission Service Provider, Transmission Owner, Transmission Operator, Generator Owner, Generator Operator, Load Serving Entity, NERC, and Regional Reliability Organizations.

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.3

any change of personnel with such access to Critical Cyber Assets, or any change in the access rights of such personnel. The Responsible Entity shall ensure access list(s) for contractors and service vendors are properly maintained.

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.

(Footnote added).

VIOLATION DESCRIPTION

WECC notified URE that a Self-Certification specific to NERC Reliability Standards CIP-002-1 through CIP-009-1 was due. URE submitted a Self-Certification which WECC reviewed during a CIP Spot Check. WECC Subject Matter Experts (SMEs) reviewed the Self-Certification, Spot Check evidence, and conducted an interview with URE SMEs. WECC Enforcement determined that quarterly reviews of list(s) of personnel with access to Critical Cyber Assets were performed on June 18, 2008, September 5, 2008, and January 8, 2009. No review was performed for the fourth quarter of 2008, thereby violating the quarterly review requirement of CIP-004-1 R4.1.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

The violation posed a minimal risk to the reliability of the bulk power system (BPS) because URE did perform periodic reviews of the list of individuals with access to URE’s Critical Cyber Assets, although not at the frequency outlined in the Standard. URE did conduct quarterly reviews prior to and following the period of noncompliance, missing the fourth Quarter 2008 review period by only eight days.

II. DISCOVERY INFORMATION

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.3

DURATION DATE(S) **1/1/09 (when fourth Quarter of 2008 was over without URE reviewing its Access list) through 1/7/09 (Mitigation Plan completion)**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **Self-Certification**

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

III. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO. **MIT-08-2797**
DATE SUBMITTED TO REGIONAL ENTITY **6/2/10⁴**
DATE ACCEPTED BY REGIONAL ENTITY **8/10/10**
DATE APPROVED BY NERC **9/3/10**
DATE PROVIDED TO FERC **9/3/10**

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

MITIGATION PLAN COMPLETED YES NO

EXPECTED COMPLETION DATE **Submitted as complete**
EXTENSIONS GRANTED
ACTUAL COMPLETION DATE **1/8/09**

DATE OF CERTIFICATION LETTER **6/2/10⁵**
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **1/8/09**

DATE OF VERIFICATION LETTER **8/30/10**
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **1/8/09**

⁴ The Mitigation Plan is dated June 1, 2010.

⁵ The Certification of Mitigation Plan Completion is dated June 1, 2010.

**ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT
RECURRENCE**

URE set specific quarterly reminder tasks in Microsoft Outlook for the individual responsible for conducting the quarterly reviews, as well as for a backup individual.

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

- **Procedure to conduct quarterly access review Q2 2010 Review Task**
- **Physical Access Review**
- **Physical Access List**
- **ESP Access Service Accounts**

EXHIBITS:

SOURCE DOCUMENT

URE's Self-Certification Form for CIP-004-1 R4

MITIGATION PLAN

URE's Mitigation Plan MIT-08-2797 for CIP-004-1 R4

CERTIFICATION BY REGISTERED ENTITY

URE's Certification of Mitigation Plan Completion for CIP-004-1 R4

VERIFICATION BY REGIONAL ENTITY

WECC's Notice of Mitigation Plan and Completed Mitigation Plan Acceptance

Disposition Document for MOD-010-0 R2

DISPOSITION OF VIOLATION

Dated May 9, 2011

NERC TRACKING NO. WECC201001882 REGIONAL ENTITY TRACKING NO. URE_WECC20102145

I. VIOLATION INFORMATION

RELIABILITY STANDARD	REQUIREMENT(S)	SUB-REQUIREMENT(S)	VRF(S)	VSL(S)
MOD-010-0	2		Medium	Lower

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

The purpose statement of MOD-010-0 provides: “To establish consistent data requirements, reporting procedures, and system models to be used in the analysis of the reliability of the Interconnected Transmission Systems.”

MOD-010-0 R2 provides:

R2. The Transmission Owners, Transmission Planners, Generator Owners, and Resource Planners (specified in the data requirements and reporting procedures of MOD-011-0_R1) shall provide this steady-state modeling and simulation data to the Regional Reliability Organizations,^[1] NERC, and those entities specified within Reliability Standard MOD-011-0_R1. If no schedule exists, then these entities shall provide the data on request (30 calendar days).

(Footnote added).

VIOLATION DESCRIPTION

URE submitted a Self-Report for this violation. URE’s Area Coordinator is responsible for filing base case comments with WECC, and in the event that URE’s Area Coordinator is not available, then the responsibility is delegated to the Backup Area Coordinator. Prior to the WECC 2014 HS3 Base Case comment deadline, the URE Area Coordinator transferred to a new position. The responsibility for base case comment completion and submission was not delegated to the Backup Area Coordinator because of miscommunications during the job transition. As a result,

¹ In accordance with applicable FERC precedent, the term “Regional Reliability Organization” in this context refers to WECC.

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.4

the comments were not provided to WECC by the scheduled December 24, 2009 deadline. On January 14, 2010, URE discovered that the comments were not filed and transmitted its comments on the WECC Base Case to WECC.

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

The violation posed a minimal risk to the reliability of the bulk power system (BPS) because URE’s late comments only extended WECC’s final release date by a short period. Although the final release was delayed a short period, WECC released preliminary versions on time and as necessary.

II. DISCOVERY INFORMATION

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

DURATION DATE(S) 12/24/09 (the deadline to provide comments to WECC) through 1/14/10 (when URE transmitted its comments to WECC)

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY Self-Report

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

III. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.	MIT-09-2448
DATE SUBMITTED TO REGIONAL ENTITY	3/12/10²
DATE ACCEPTED BY REGIONAL ENTITY	4/7/10
DATE APPROVED BY NERC	4/19/10
DATE PROVIDED TO FERC	4/19/10

² The Mitigation Plan was not dated.

**PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION**

Attachment b.4

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

MITIGATION PLAN COMPLETED YES NO

EXPECTED COMPLETION DATE **Submitted as complete**

EXTENSIONS GRANTED

ACTUAL COMPLETION DATE **3/10/10**

DATE OF CERTIFICATION LETTER **3/12/10**

CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **3/10/10**

DATE OF VERIFICATION LETTER **4/12/10**

VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **3/10/10**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

URE made changes to its process so that on a continual basis, a transmission planning manager will maintain a distribution list of approved Area Coordinators and Backup Area Coordinators for control areas. The members of this distribution list are required to use e-mail filters which will bring WECC messages requiring action to their attention. Additionally all Area Coordinators and Backup Area Coordinators will be required to attend a weekly meeting to discuss and assign the completion of WECC data submissions.

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

- **Appendix attached to the Mitigation Plan included examples of Basecase meeting agendas, the distribution list, and the filter applied to incoming emails from WECC**

EXHIBITS:

SOURCE DOCUMENT

URE's Self-Reporting Form for MOD-010-0 R2

MITIGATION PLAN

URE's Mitigation Plan MIT-09-2448 for MOD-010-0 R2

CERTIFICATION BY REGISTERED ENTITY

URE's Certification of Mitigation Plan Completion for MOD-010-0 R2

VERIFICATION BY REGIONAL ENTITY

**WECC's Notice of Mitigation Plan and Completed Mitigation Plan
Acceptance**