



NORTH AMERICAN ELECTRIC
RELIABILITY CORPORATION

PRIVILEGED AND CONFIDENTIAL INFORMATION
HAS BEEN REMOVED FROM THIS PUBLIC VERSION

December 22, 2010

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

**Re: NERC 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 Notice of Penalty¹ regarding Unidentified Registered Entity (URE), NERC Registry ID NCRXXXXX, 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

On November 3, 2009, URE self-reported to Western Electricity Coordinating Council (WECC) URE's possible non-compliance with NERC Reliability Standards (Standards) BAL-004-WECC-01 Requirement (R) 1 and R2 for URE's operation of its Automatic Generation Control (AGC) without utilizing Automatic Time Error Correction (ATEC) and URE's failure to notify all control areas within WECC that it operated its AGC without utilizing ATEC, respectively.³ On January 15, 2009, URE self-reported to WECC, URE's possible non-compliance with CIP-004-1 R2, R3 and R4 because it failed to provide cyber-security training to certain employees within 90 days of granting access, failed to perform personnel risk assessment within thirty days of granting access, and failed to update its list of personnel with access to Critical Cyber Assets, respectively. This Notice of Penalty is being filed with the Commission because URE does not

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 (2010). *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 See 18 C.F.R. § 39.7(c)(2).

³ The self-report also covers BAL-004-WECC-01 R2; the R2 requirement was inadvertently not included on the self-report.

dispute the violations⁴ of BAL-004-WECC-01 and CIP-004-1 or the proposed thirty-eight thousand five hundred dollars (\$38,500) penalty to be assessed to URE.⁵ Accordingly, the violations identified as NERC Violation Tracking Identification Numbers WECC200901776, WECC200901777, WECC200901650, WECC200901726 and WECC200901699 are Confirmed Violations, as that term is defined in the NERC Rules of Procedure and the CMEP.

Statement of Findings Underlying the Violations

This Notice of Penalty incorporates the findings and justifications set forth in the Notice of Confirmed Violation and Proposed Penalty or Sanction (NOCV) issued on February 8, 2010, by WECC. The details of the findings and basis for the penalty are set forth herein. This Notice of Penalty filing contains the basis for approval of this Notice of Penalty by the NERC Board of Trustees Compliance Committee (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 the Standards at issue in this Notice of Penalty.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty (\$)
WECC	Unidentified Registered Entity	486	WECC200901776	BAL-004-WECC-01	1	Lower	38,500
			WECC200901777	BAL-004-WECC-01	2	Lower	
			WECC200901650	CIP-004-1	2	Medium ⁶	
			WECC200901726	CIP-004-1	3	Medium ⁷	

⁴ The instant violations are Confirmed Violations; however, for purposes of this document, the violations at issue are described as "violations," regardless of their procedural posture and whether they were possible, alleged, or confirmed violations.

⁵ WECC issues a Notice of Alleged Violation and Proposed Penalty or Sanction for these violations on January 7, 2010.

⁶ When NERC filed VRFs it originally assigned CIP-004-1 R2.1, R2.2 and R2.2.4 "Lower" VRFs. The Commission approved the VRFs 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-004-1 R2.1, R2.2 and R2.2.4 were in effect from June 18, 2007 until January 27, 2009 when the "Medium" VRFs became effective. CIP-004-1 R2, R2.2.1, R2.2.2 and R2.3 have "Lower" VRFs.

⁷ When NERC filed VRFs it originally assigned CIP-004-1 R3 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 R3 was in effect from June 18, 2007 until January 27, 2009 when the "Medium" VRF became effective. CIP-004-1 R3.1, R3.2 and R3.3 have "Lower" VRFs.

Region	Registered Entity	NOC ID	NERC Violation ID	Reliability Std.	Req. (R)	VRF	Total Penalty (\$)
			WECC200901699	CIP-004-1	4	Lower ⁸	

BAL-004-WECC-01

The purpose of WECC Regional Reliability Standard BAL-004-WECC-01 is “To maintain Interconnection frequency within a predefined frequency profile under all conditions (i.e. normal and abnormal), and to ensure that Time Error Corrections are *effectively* conducted in a manner that does not adversely affect the reliability of the Interconnection.”

BAL-004-WECC-01 R1 requires that:⁹

Each Balancing Authority that operates synchronously to the Western Interconnection shall continuously operate utilizing Automatic Time Error Correction (ATEC) in its Automatic Generation Control (AGC) system.R1.2. Large accumulations of primary inadvertent point to an invalid implementation of ATEC, loose control, metering or accounting errors. A BA in such a situation should identify the source of the error(s) and make the corrections, recalculate the primary inadvertent from the time of the error, adjust the accumulated primary inadvertent caused by the error(s), validate the implementation of ATEC, set L_{max} equal to L_{10} and continue to operate with ATEC reducing the accumulation as system parameters allow.

BAL-004-WECC-01 R2 requires that:

Each BA that is synchronously connected to the Western Interconnection and operates in any AGC operating mode other than ATEC shall notify all other BAs of its operating mode through the designated Interconnection communication system. Each BA while synchronously connected to the Western Interconnection will be allowed to have ATEC out of service for a maximum of 24 hours per calendar quarter, for reasons including maintenance and testing.

BAL-004-WECC-01 R1 and BAL-004-WECC-01 R2 each have a “Lower” Violation Risk Factor (VRF).

BAL-004-WECC-01 R1

On November 3, 2009, URE self-reported possible non-compliance with BAL-004-WECC-01 R1. URE stated in its Self-Report that during the third quarter of 2009, URE operated its AGC without utilizing ATEC as required by BAL-004-WECC-01 R1.

⁸ 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-004-1 R4 and R4.1 have “Lower” VRFs.

⁹ See Standard for equation information: <http://www.nerc.com/files/BAL-004-WECC-1.pdf>.

In its Self-Report, URE stated that on September 22, 2009, URE discovered it was not continuously operating in ATEC mode in its AGC system. URE identified errors in its AGC software as the root cause of the AGC system operating without ATEC. Because of the software error, the AGC system controlled net interchange to minimize the Area Control Error (ACE) with "Tie Line Bias," which excludes the ATEC adjustment. As a result of the AGC system software error, URE's AGC system did not continuously operate in ATEC as required by BAL-004-WECC-01 R1.

WECC determined that URE had a violation of BAL-004-WECC-01 R1 because URE operated its AGC without utilizing ATEC. WECC determined the duration of the violation to be from July 1, 2009, when the Standard became effective, until October 1, 2009 when URE completed its Mitigation Plan.

WECC determined that the violation of BAL-004-WECC-01 R1 did not pose a serious or substantial risk to the BPS because URE accumulated positive inadvertent interchange as a result of the violation.

BAL-004-WECC-01 R2

In its November 3, 2009 Self-Report, URE also stated that it had failed to notify all control areas within WECC that it had been operating its AGC system without continuously utilizing ATEC, which indicated possible non-compliance with BAL-004-WECC-01 R2. Although URE did not specifically identify in the Self-Report as including a possible non-compliance with R2, URE made clear in its description of its possible non-compliance that it had failed to notify other Balancing Authorities of its operating mode. URE confirmed to WECC that it had intended its Self-Report of R1 to cover R2 as well. Therefore, WECC viewed the violation of BAL-004-WECC-01 R2 as a self-reported violation.

WECC determined that URE had a violation of BAL-004-WECC-01 R2 because URE failed to notify all control areas within WECC of the operating condition described in the violation of BAL-004-WECC-01 R1.

WECC determined the duration of the violation to be from July 1, 2009, when the Standard became effective, until October 1, 2009 when URE completed its Mitigation Plan.

WECC determined that the violation of BAL-004-WECC-01 R2 did not pose a serious or substantial risk to the BPS because URE accumulated positive inadvertent interchange. The failure to notify other BAs in the Western Interconnection means inadvertent interchange would not be occurring as anticipated. However, the magnitude of the difference is limited to the URE L10 value and would not have presented a serious or substantial risk to system reliability.

CIP-004-1

The purpose of Reliability Standard CIP-004-1 (Personnel & Training) is "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 R2 (Training) requires that:

The Responsible Entity¹⁰¹ shall establish, maintain, and document an annual cyber security training program for personnel having authorized cyber or authorized unescorted physical access to Critical Cyber Assets, and review the program annually and update as necessary.

R2.1. This program will ensure that all personnel having such access to Critical Cyber Assets, including contractors and service vendors, are trained within ninety calendar days of such authorization.

R2.2. Training shall cover the policies, access controls, and procedures as developed for the Critical Cyber Assets covered by CIP-004, and include, at a minimum, the following required items appropriate to personnel roles and responsibilities:

R2.2.1. The proper use of Critical Cyber Assets;

R2.2.2. Physical and electronic access controls to Critical Cyber Assets;

R2.2.3. The proper handling of Critical Cyber Asset information; and,

R2.2.4. Action plans and procedures to recover or re-establish Critical Cyber Assets and access thereto following a Cyber Security Incident.

R2.3. The Responsible Entity shall maintain documentation that training is conducted

CIP-004-1 R2 has a “Medium” VRF.

During a self-evaluation, URE discovered possible non-compliance with CIP-004-1 R2 and self-reported it to WECC on January 15, 2009. URE discovered that some of its employees that had been granted access to Critical Cyber Assets were not trained within ninety calendar days as required. A WECC subject matter expert (SME) reviewed the Self-Report and conducted an interview with URE personnel on August 3, 2009. The SME determined that URE had a possible non-compliance with CIP-004-1 R2 because four of URE’s employees, representing less than 5% of URE’s employees with access to Critical Cyber Assets, were not trained within ninety days of being granted access to Critical Cyber Assets. The SME submitted the findings to WECC for its review and consideration.

WECC reviewed URE’s Self-Report and the SME’s findings and agreed that URE had a violation of CIP-004-1 R2. WECC determined the duration of the violation to be from July 1, 2008, when the Standard became effective through October 8, 2008, when URE completed that portion of its Mitigation Plan.

WECC determined that the violation of CIP-004-1 R2 did not pose a serious or substantial risk to the reliability of the BPS because the four employees who had authorized cyber or authorized unescorted physical access to Critical Cyber Assets and had not completed URE’s annual cyber security training program within ninety days of being granted access, were not physically located in the same facility as the one where the referenced Critical Cyber Assets reside. Also, the four

¹⁰Within 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, or Regional Reliability Organizations.

employees received their cyber security training no later than fourteen days after the required date.

These four employees represent less than 5% of the personnel having access to Critical Cyber Assets.

CIP-004-1 R3 (Personnel Risk Assessment) requires that:

The Responsible Entity shall have a documented personnel risk assessment program, in accordance with federal, state, provincial, and local laws, and subject to existing collective bargaining unit agreements, for personnel having authorized cyber or authorized unescorted physical access. A personnel risk assessment shall be conducted pursuant to that program within thirty days of such personnel being granted such access. Such program shall at a minimum include:

- R3.1. The Responsible Entity shall ensure that each assessment conducted include, at least, identity verification (e.g., Social Security Number verification in the U.S.) and seven-year criminal check. The Responsible Entity may conduct more detailed reviews, as permitted by law and subject to existing collective bargaining unit agreements, depending upon the criticality of the position.
- R3.2. The Responsible Entity shall update each personnel risk assessment at least every seven years after the initial personnel risk assessment or for cause.
- R3.3. The Responsible Entity shall document the results of personnel risk assessments of its personnel having authorized cyber or authorized unescorted physical access to Critical Cyber Assets, and that personnel risk assessments of contractor and service vendor personnel with such access are conducted pursuant to Standard CIP-004.

CIP-004-1 R3 has a “Medium” VRF.

During a self-evaluation, URE discovered its non-compliance with CIP-004-1 R3 and self-reported it to WECC on January 15, 2009. URE discovered that it had not performed a personnel risk assessment for several employees within thirty days of being granted access to Critical Cyber Assets. An SME reviewed the Self-Report and conducted an interview with URE personnel on August 30, 2009. The SME determined that URE had a possible non-compliance with CIP-004-1 R3 because URE failed to perform personnel risk assessments for eight individuals within thirty days of being granted access to URE’s Critical Cyber Assets. The SME submitted his findings to WECC for its review and consideration.

WECC reviewed URE’s Self-Report and the SME’s findings and agreed that URE had a violation of CIP-004-1 R3. WECC determined the duration of the violation to be from July 1, 2008, when the Standard became effective through December 14, 2009, when URE completed this portion of its Mitigation Plan.

WECC determined that the violation of CIP-004-1 R3 did not pose a serious or substantial risk to the reliability of the BPS because only a small number of URE employees had not received risk assessments within the first thirty (30) days of such personnel being granted system access.

CIP-004-1 R4 (Access) requires that:

The Responsible Entity 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 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.

CIP-004-1 R4 has a “Lower” VRF.

During a self-evaluation, URE discovered and self-reported its non-compliance with CIP-004-1 R4 to WECC on January 15, 2009. URE did not update its list of personnel with access to Critical Cyber Assets. An SME reviewed the Self-Report and conducted an interview with URE personnel on August 3, 2009. The SME determined that URE did not perform a quarterly review of its Critical Cyber Asset access list during the fourth quarter of 2008. Also, in five instances, URE did not update its Critical Cyber Asset access list within seven days of a change in personnel, as required in CIP-004-1 R4.1. The SME submitted the findings to WECC for its review and consideration.

WECC reviewed URE’s Self-Report and the SME’s findings and determined that URE had a violation of CIP-004-1 R4. WECC determined the duration of the violation to be from October 1, 2008, the date URE failed to update its list of personnel with access to Critical Cyber Assets, through December 16, 2009, when URE completed its Mitigation Plan.

WECC determined that the violation of CIP-004-1 R4 did not pose a serious or substantial risk to the reliability of the BPS because although URE did not review or update its list of personnel with access to Critical Cyber Assets in the fourth quarter of 2008, URE did perform an update in the third quarter of 2008 and first quarter of 2009.

Regional Entity’s Basis for Penalty

WECC assessed an aggregate penalty of thirty-eight thousand five hundred dollars (\$38,500) for the referenced violations. In reaching this determination, WECC considered the following factors: (1) these violations were URE’s first assessed non-compliance with the applicable Standards; (2) the violations were self-reported; (3) URE was cooperative throughout the

compliance enforcement process; (4) there was no evidence of any attempt by URE to conceal the violations nor evidence of intent to do so; and (5) the violations did not pose a serious or substantial risk to the BPS, as discussed above.

After consideration of the above factors, WECC determined that, in this instance, the penalty amount of thirty-eight thousand five hundred dollars (\$38,500) is appropriate and bears a reasonable relation to the seriousness and duration of the subject violations.

Status of Mitigation Plan¹¹

BAL-004-WECC-01 R1 and R2

URE's Mitigation Plan to address its violations of BAL-004-WECC-01 R1 and R2 was submitted to WECC on November 5, 2009 stating it had been completed on October 1, 2009.¹² The Mitigation Plan was accepted by WECC on December 23, 2009 and approved by NERC on January 5, 2010. The Mitigation Plan for these violations is designated as MIT-09-2241 and was submitted as non-public information to FERC on January 5, 2010 in accordance with FERC orders.

URE's Mitigation Plan required URE to contract with URE's EMS vendor to repair the AGC software so that the generation is now controlled with AGC using "Tie Line Bias with ATEC."

URE certified on November 12, 2009 that its Mitigation Plan was completed on October 1, 2009.¹³ As evidence of completion of its Mitigation Plan, URE submitted the invoice from its vendor noting the repair of its AGC system.

On December 23, 2009, after WECC's review of URE's submitted evidence, WECC verified that URE's Mitigation Plan was completed on October 1, 2009 and notified URE in a letter dated December 31, 2009 that URE's non-compliance with BAL-004-WECC-01 R1 and R2 had been fully mitigated.

CIP-004-1 R2, R3 and R4

URE's Mitigation Plan to address its violations of CIP-004-1 R2, R3 and R4 was submitted to WECC on January 19, 2010 stating it had been completed on December 1, 2009.¹⁴ The Mitigation Plan was accepted by WECC on January 29, 2010 and approved by NERC on March 12, 2010. The Mitigation Plan for these violations is designated as MIT-08-2375 and was submitted as non-public information to FERC on March 12, 2010 in accordance with FERC orders.

¹¹ See 18 C.F.R § 39.7(d)(7).

¹² The Mitigation Plan also covers BAL-004-WECC-01 R2; the R2 requirement was inadvertently not included on the Mitigation Plan.

¹³ The Certification of Completion also covers BAL-004-WECC-01 R2; the R2 requirement was inadvertently not included on the Certification of Completion.

¹⁴ URE incorrectly reported a completion date of December 1, 2009 on its January 19, 2010 Mitigation Plan. The correct completion date is December 16, 2009.

URE's Mitigation Plan required URE to:

- train the specific employees to mitigate its non-compliance with CIP-004-1 R2;
- perform background checks on any employees not prohibited by any collective bargaining unit agreement (*i.e.* union employees) and any contractors who required it to mitigate its non-compliance with CIP-004-1 R3; and
- conduct a review of its Cyber Assets list in the first quarter of 2009 and update the access list to reflect actual access authority to mitigate its non-compliance with CIP-004-1 R4.

URE certified on January 19, 2010 that its Mitigation Plan was completed on December 16, 2009. As evidence of completion of its Mitigation Plan, URE submitted the following:

- a spreadsheet with the data listing the employees who received training to show compliance with CIP-004-1 R2;
- URE's corporate policy on background checks and an e-mail dated September 9, 2009, confirming negotiations with the local Union to obtain risk assessment background checks to show compliance with CIP-004-1 R3; and
- confirmation that the Cyber Assets list was updated as of January 19, 2009 to show compliance with CIP-004-1 R4.

On March 11, 2010, after WECC's review of URE's submitted evidence, WECC verified that URE's Mitigation Plan was completed on December 16, 2009 and notified URE in a letter dated March 11, 2010 that it was in compliance with CIP-004-1 R2, R3 and R4.

Statement Describing the Proposed Penalty, Sanction or Enforcement Action Imposed¹⁵

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 and October 26, 2009 Guidance Orders,¹⁶ the NERC BOTCC reviewed the NOCV and supporting documentation on April 12, 2010. The NERC BOTCC approved the assessment of a thirty-eight thousand five hundred dollars (\$38,500) financial penalty against URE based upon WECC's findings and determinations, the NERC BOTCC's review of 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:¹⁷

- (1) These violations constituted URE's first occurrence of violations of the subject Reliability Standards;
- (2) The violations were self-reported;

¹⁵ See 18 C.F.R § 39.7(d)(4).

¹⁶ *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). See also *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

¹⁷ URE did not receive credit for having a compliance program because it was not reviewed by WECC.

- (3) WECC reported URE was cooperative throughout the enforcement process;
- (4) there was no evidence of any attempt to conceal a violation nor evidence of intent to do so; and
- (5) WECC determined that the violations did not pose a serious or substantial risk to the BPS, as discussed above.

For the foregoing reasons, the NERC BOTCC believes that the proposed penalty of thirty-eight thousand five hundred dollars (\$38,500) 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 Order No. 693, 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 and material:

- a) URE's Response to the Notice of Alleged Violation and Proposed Penalty or Sanction dated February 5, 2010, included as Attachment a;
- b) Record documents for the violation of BAL-004-WECC-01 R1 and R2, included as Attachment b:
 1. URE'S Self Report dated November 3, 2009;¹⁸
 2. URE'S Mitigation Plan designated as MIT-09-2241 dated November 5, 2009;¹⁹
 3. URE'S Certification of Completion of the Mitigation Plan dated November 12, 2009;²⁰
 4. WECC's Verification of Completion of the Mitigation Plan dated December 31, 2009;
- c) Record documents for the violation of CIP-004-1 R2, R3 and R4, included as Attachment c:
 1. URE's self report dated January 15, 2009;
 2. URE's Mitigation Plan designated as MIT-08-2375 and Certification of Completion contained therein submitted January 19, 2010;
 3. WECC's Verification of Completion of the Mitigation Plan dated March 11, 2010.

A Form of Notice Suitable for Publication²¹

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

¹⁸ See n.5.

¹⁹ See n.14.

²⁰ See n.15.

²¹ 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* Senior Vice President and General Counsel North American Electric Reliability Corporation 116-390 Village Boulevard Princeton, N.J. 08540-5721 (609) 452-8060 (609) 452-9550 – facsimile david.cook@nerc.net</p>	<p>Rebecca J. Michael* Assistant General Counsel Davis Smith * Attorney North American Electric Reliability Corporation 1120 G Street, N.W. Suite 990 Washington, D.C. 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 615 Arapeen Drive, Suite 210 Salt Lake City, UT 84108-1262 (801) 883-6887 (801) 883-6894 – facsimile CLuras@wecc.biz</p>	<p>Louise McCarren* Chief Executive Officer Western Electricity Coordinating Council 615 Arapeen Drive, Suite 210 Salt Lake City, UT 84108-1262 (801) 883-6868 (801) 582-3918 – facsimile Louise@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>	<p>Constance White* Vice President of Compliance Western Electricity Coordinating Council 615 Arapeen Drive, Suite 210 Salt Lake City, UT 84108-1262 (801) 883-6885 (801) 883-6894 – facsimile CWhite@wecc.biz</p>
	<p>Sandy Mooy* Senior Legal 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>

Conclusion

NERC respectfully requests that the Commission accept this Notice of Penalty as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley
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cc: Unidentified Registered Entity
Western Electricity Coordinating Council

Attachments