

# Survey Report

## Survey Details

**Name** 2010-04.1 FERC Order 804 Directive | MOD-031 SAR

**Description**

**Start Date** 4/16/2015

**End Date** 5/19/2015

**Associated Ballots**

## Survey Questions

***1. Do you agree that MOD-031-1 Requirement R3 needs clarity regarding certain obligations to provide data to the Regional Entity? If not, please explain.***

**Yes**

**No**

**2. Do you agree that the standard needs additional clarity regarding the obligations of an applicable entity upon receipt of a data request that seeks confidential information? If not, please explain.**

**Yes**

**No**

---

## Responses By Question

**1. Do you agree that MOD-031-1 Requirement R3 needs clarity regarding certain obligations to provide data to the Regional Entity? If not, please explain.**

**John Fontenot - Bryan Texas Utilities - 1 -**

**Selected Answer:** Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Louis Slade - Dominion - Dominion Resources, Inc. - 6 -**

Error: Subreport could not be shown.

Selected Answer: No

**Answer Comment:**

Dominion believes the current requirement clearly states which entities must provide data to the Regional Entity when requested. However, we also acknowledge the FERC directive to develop a modification to clarify certain obligations to provide data to the Regional Entity.

**Document Name:**

Likes: 0

Dislikes: 0

---

**Albert DiCaprio - PJM Interconnection, L.L.C. - 2 - RFC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

*The SRC agrees that the Regions and the ERO should have access to the R1-defined data whether or not the data was obtained as a result of an ad hoc request.*

*The SRC also suggests that any revised requirement be clear that the*

*obligation is specific to the data defined in R1.3 to R1.5. Linking R3 to the specific data in R1 would clarify that the ERO and the Regions should not be inundated with specialized or ad hoc data that are unrelated to the ERO and Regional studies.*

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Mark Wilson - Independent Electricity System Operator - NA - Not Applicable - NPCC**

**Selected Answer:** Yes

**Answer Comment:**

**We agree that the Responsible Entities should comply with the data request by the REs, but suggest that the data to be provided should be confined to those listed under R1 only rather than any data.**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Gul Khan - Oncor Electric Delivery - 2 - TRE**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Brian Bartos - CPS Energy - 3 -**

Selected Answer: No

**Answer Comment:**

R3 clearly states the PC or BA is to provide to the RE **only** the data collected under Requirement R2.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**christina bigelow - Electric Reliability Council of Texas, Inc. - 2 -**

Selected Answer: Yes

**Answer Comment:**

ERCOT supports the SRC's comments in response to this survey.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Kathleen Black - DTE Energy - 3,4,5 - RFC**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Amy Casuscelli - Xcel Energy, Inc. - 1,3,5,6 - MRO,WECC,SPP**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Emily Rousseau - MRO - 1,2,3,4,5,6 - MRO**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

The SDT developing the changes should consider the data request requirements of TOP-003-2 – Operational Reliability Data, R2 for possible duplication. TOP-003-2, R2 requires the BA to create a documented specification for data collection.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**faranak sarbaz - Los Angeles Department of Water and Power - 1 -**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Thomas Foltz - AEP - 5 -**

Selected Answer: No

**Answer Comment:**

AEP believes that MOD-31-1 R3 is sufficiently clear as written.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Nick Vtyurin - Manitoba Hydro - 1,3,5,6 - MRO**

Selected Answer: Yes

**Answer Comment:**



**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Kaleb Brimhall - Colorado Springs Utilities - 5 -**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Dennis Chastain - Tennessee Valley Authority - 1,3,5,6 - SERC**

Selected Answer: No

**Answer Comment:**

As commented on during the development of MOD-031-1, we believe that Requirement R3 should be removed from the standard. The authority of the ERO Enterprise to request demand and energy data for the purpose of preparing reliability assessments is sufficiently addressed by Sections

1600 and 800 of the NERC Rules of Procedure (ROP) -- at least within the portions of the United States that are described in 18 CFR 39.2(a). The procedural steps outlined in section 1602 of the NERC ROP are the preferred method for NERC (and Regional Entities) to follow when it needs to collect data from registered entities. Within this process, NERC must "make its case" when requesting data or information by providing a proposed request to FERC (for informational purposes) in advance of posting publicly, posting the proposed request for a forty-five (45) day public comment period, evaluating any comments received, making revisions following receipt of comments as deemed appropriate, and submitting the proposed request to the NERC Board of Trustees for authorization. Section 1602, Part 2.2.1 also describes the minimum information that NERC shall provide for a proposed request. This process provides greater transparency for registered entities and other stakeholders.

Our position is that reliability assessments prepared by the ERO Enterprise, while informative, do not pose a significant threat to reliability of the Bulk-Power System in their absence. Provisions for NERC to request, and registered entities to provide, demand and energy data are therefore appropriately covered in the NERC ROP and should not be part of a Reliability Standard requirement. Therefore, our recommendation for addressing this FERC directive is to remove Requirement R3 from MOD-031-1.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Teresa Czyz - Georgia Transmission Corporation - 1 - SERC**

Selected Answer: No

**Answer Comment:**

GTC agrees with the comments provided by ACES Power:

We believe that Requirement R3 is a classic Paragraph 81 requirement and should be retired in its entirety. Requirement R3 clearly meets criteria B1 – Administrative and B2 – Data Collection/Data Retention. The requirement meets criteria B1 and B2 because it is administrative in nature, requires the documentation of prior events (i.e. historical load) and “should be collected via some other method under NERC’s rule and processes.” NERC has a whole host of other data collection processes available via the Rules of Procedure (ROP) that are more efficient because they do not require compliance monitoring. As an example, a standing ROP Section 1600 data request could be used for NERC to gather load forecast data from BAs and PCs. Furthermore, there is already a precedent to use this data collection tool in the collection of TADS and GADS data. The bottom line is that this data is easily available to the Regional Entities without the need for Requirement R3.

While we understand that NERC must comply with the FERC directive to clarify R3, FERC allows alternative approaches that address their concerns that are equally as efficient and effective. Striking the requirement in its entirety with an explanation in the filing regarding how NERC and the Regional Entities use the ROP section 1600 data requests to gather demand and energy data to support NERC’s development of seasonal and long-term reliability assessments would clearly meet an equally efficient and effective alternative. In fact, it is a superior approach to gathering the data because it does not involve compliance monitoring staff resulting in efficiency gains. This would especially hold true given that the Regional Entities or NERC have always been able to gather timely demand and energy data for the development of reliability assessments. Is Requirement R3’s purpose to document part of the seasonal and long-term reliability assessment processes?

To further support the retirement of Requirement R3, we point to

NERC's initiatives to focus on the biggest risks to reliability of the Bulk Power System (BPS). NERC has developed risk elements to assist each Regional Entity in assessing risk and data submittals are categorized as low risk. We cannot support the revision of R3, as we feel that not only does it meet P81 criteria and there are equally efficient and effective alternatives to the requirement, but also it would be a low risk element that would not be monitored anyway. We urge the standard drafting teams to review requirements under the new approach of risk based compliance monitoring and enforcement to determine if the requirements that are being proposed will mitigate moderate to high risks to the BPS. In this case, R3 will not mitigate moderate or high risks and should be retired.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Molly Devine - IDACORP - Idaho Power Company - 1 -**

**Selected Answer:** Yes

**Answer Comment:**

If an auditor were to choose to penalize an entity for obtaining the data through some method less burdensome than an R1 data request, that would be ridiculous. But common sense does not always prevail, so I suppose that means that clarification is necessary. MOD timelines should be flexible/recognize when data requests become subject to corporate confidentiality procedures.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Lee Pedowicz - Northeast Power Coordinating Council - 10 - NPCC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

We agree that the Responsible Entities should comply with the data request by the Regional Entities, but suggest that the data to be provided should be confined to that listed under R1 only rather than any data. The data request should be limited to that data necessary to support NERC's development of seasonal and long-term reliability assessments [FERC Order 804 paragraph 18].

The detailed description of the SAR says a modification of requirement R3 will occur. The SAR should allow for a separate requirement to be developed. This may be necessary because the data collection process may be via an alternative collection mechanism other than R2.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Michael Lowman - Duke Energy - 1,3,5,6 - FRCC,SERC,RFC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Duke Energy agrees that clarification is needed.**

**Document Name:**

Likes: 0

Dislikes: 0

---

**Jason Marshall - ACES Power Marketing - 6 - MRO,WECC,TRE,SERC,SPP,RFC**

Error: Subreport could not be shown.

Selected Answer: No

**Answer Comment:**

We believe that Requirement R3 is a classic Paragraph 81 requirement and should be retired in its entirety. Requirement R3 clearly meets criteria B1 – Administrative and B2 – Data Collection/Data Retention. The requirement meets criteria B1 and B2 because it is administrative in nature, requires the documentation of prior events (i.e. historical load) and “should be collected via some other method under NERC’s rule and processes.” NERC has a whole host of other data collection processes available via the Rules of Procedure (ROP) that are more efficient because they do not require compliance monitoring. As an

example, a standing ROP Section 1600 data request could be used for NERC to gather load forecast data from BAs and PCs. Furthermore, there is already a precedent to use this data collection tool in the collection of TADS and GADS data. The bottom line is that this data is easily available to the Regional Entities without the need for Requirement R3.

While we understand that NERC must comply with the FERC directive to clarify R3, FERC allows alternative approaches that address their concerns that are equally as efficient and effective. Striking the requirement in its entirety with an explanation in the filing regarding how NERC and the Regional Entities use the ROP section 1600 data requests to gather demand and energy data to support NERC's development of seasonal and long-term reliability assessments would clearly meet an equally efficient and effective alternative. In fact, it is a superior approach to gathering the data because it does not involve compliance monitoring staff resulting in efficiency gains. This would especially hold true given that the Regional Entities or NERC have always been able to gather timely demand and energy data for the development of reliability assessments. Is Requirement R3's purpose to document part of the seasonal and long-term reliability assessment processes?

To further support the retirement of Requirement R3, we point to NERC's initiatives to focus on the biggest risks to reliability of the Bulk Power System (BPS). NERC has developed risk elements to assist each Regional Entity in assessing risk and data submittals are categorized as low risk. We cannot support the revision of R3, as we feel that not only does it meet P81 criteria and there are equally efficient and effective alternatives to the requirement, but also it would be a low risk element that would not be monitored anyway. We urge the standard drafting teams to review requirements under the new approach of risk based compliance monitoring and enforcement to determine if the requirements that are being proposed will mitigate moderate to high risks to the BPS. In this case, R3 will not mitigate moderate or high risks and should be retired.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Rachel Coyne - Texas Reliability Entity, Inc. - 10 -**

Selected Answer: Yes

**Answer Comment:**

Texas RE recommends providing clarity in order to deter entities from activities that do not support reliability.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Chris Scanlon - Exelon - 1 -**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**



**Likes:** 0

**Dislikes:** 0

---

**Shannon Mickens - Southwest Power Pool, Inc. (RTO) - 2 - SPP**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

We would suggest to the drafting team to include in Requirement R3 some alternative language suggesting how to handling 'confidential' information appropriately and its listed as followed: 'The Planning Coordinator or the Balancing Authority shall provide the data collected (public and confidential should be handle appropriately) under Requirement R2 to the applicable Regional Entity within 75 calendar days of receiving a request for such data, unless otherwise agreed upon by the parties'. Also, we would like the drafting team to add some clarity on whether the data request is applicable to the entities specific Regional Entity or can any Regional Entity request the data from the applicable Planning Coordinator or Balancing Authority?

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Andrea Jessup - Bonneville Power Administration - 1,3,5,6 - WECC**

Selected Answer: No

**Answer Comment:**

BPA believes one does not need to give confidential information regarding individual entities when providing details about expected future conditions when looking at the entire electrical system. There may be times when the expected outcome is large enough that individual entities activities can be discerned. Given that planning must be done with confidential information, if clarifying language were provided, BPA suggests that it limits distribution of the data by the receiving entity and does not limit what is communicated - - or in other words, language that indicates all details or communication of the information must be directed to the organization that initiated the document.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**RoLynda Shumpert - SCANA - South Carolina Electric and Gas Co. - 1,3,5,6 - SERC**

Selected Answer: No

**Answer Comment:**

Requirement 3 has sufficient clarity

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Sandra Shaffer - Berkshire Hathaway - PacifiCorp - 6 -**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

***2. Do you agree that the standard needs additional clarity regarding the obligations of an applicable entity upon receipt of a data request that seeks confidential information? If not, please explain.***

**John Fontenot - Bryan Texas Utilities - 1 -**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Louis Slade - Dominion - Dominion Resources, Inc. - 6 -**

Error: Subreport could not be shown.

Selected Answer: No

**Answer Comment:**

Dominion believes that NERC's Rules of Procedure, Section 1500 adequately addresses this.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Albert DiCaprio - PJM Interconnection, L.L.C. - 2 - RFC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

*The SRC submits that Requirements R2 and R4 should be revised to provide that the requested data shall be returned to the Applicable Entity subject confidentiality requirements and agreements. This clarification would ensure that entities explore all possible avenues for provision of data that could be deemed confidential prior to exercising its right to refuse provision under Requirement 4.1.*

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Mark Wilson - Independent Electricity System Operator - NA - Not Applicable - NPCC**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Gul Khan - Oncor Electric Delivery - 2 - TRE**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Brian Bartos - CPS Energy - 3 -**

Selected Answer: No

**Answer Comment:**

CPS Energy believes that 4.1 provides the Applicable Entity sufficient rights to refuse to provide the data under 1) failure of the requesting entity to provide a "demonstrated need" for the data or 2) providing the data would conflict with the Applicable Entity's confidentiality, regulatory, or security requirements.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**christina bigelow - Electric Reliability Council of Texas, Inc. - 2 -**

Selected Answer: Yes

**Answer Comment:**

ERCOT supports the SRC's comments in response to this survey.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Kathleen Black - DTE Energy - 3,4,5 - RFC**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Amy Casuscelli - Xcel Energy, Inc. - 1,3,5,6 - MRO,WECC,SPP**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Emily Rousseau - MRO - 1,2,3,4,5,6 - MRO**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**faranak sarbaz - Los Angeles Department of Water and Power - 1 -**

Selected Answer: Yes

**Answer Comment:**



**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Thomas Foltz - AEP - 5 -**

Selected Answer: No

**Answer Comment:**

MOD-031-1 replaces a number of other MOD standards where the topic of confidential information was not explicitly addressed. AEP believes that MOD-031-1 R4.1 is sufficiently clear as written in regards to the obligations of an applicable entity that receives a request for potentially confidential information.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Nick Vtyurin - Manitoba Hydro - 1,3,5,6 - MRO**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Kaleb Brimhall - Colorado Springs Utilities - 5 -**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Dennis Chastain - Tennessee Valley Authority - 1,3,5,6 - SERC**

Selected Answer: Yes

**Answer Comment:**

In light of our recommendation to remove Requirement R3 from the

MOD-031 Reliability Standard (see response to question #1), the emphasis of the standard will primarily be directed at the authority of the Planning Coordinator or Balancing Authority to request demand and energy data from the other applicable entities (Transmission Planner, Resource Planner, Load-Serving Entity, and Distribution Provider) for the purpose of supporting reliability studies and assessments that are performed by the Planning Coordinator or Balancing Authority. If there are no pre-existing agreements that address data confidentiality between the requesting entity (Planning Coordinator or Balancing Authority) and the submitting entity (Transmission Planner, Resource Planner, Load-Serving Entity, and Distribution Provider), we can understand that this may be a cause of concern with the submitting entity (Transmission Planner, Resource Planner, Load-Serving Entity, and Distribution Provider).

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Teresa Czyz - Georgia Transmission Corporation - 1 - SERC**

**Selected Answer:** Yes

**Answer Comment:**

Again, GTC agrees with the comments provided by ACES Power:

We agree additional clarity is needed and recommend removing redundancies in R4. First, R4 should be clarified so that no Resource Planner (RP) can request energy and demand data from another RP. There simply is no situation in which one RP needs another RP's data. This is a FERC standards of conduct issue as it deals with competition between RPs. Second, R4 should not include the PC and BA

as requesting entities since they will already be requesting data via R1. These two steps alone will eliminate the majority of the ambiguity and redundancy.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Molly Devine - IDACORP - Idaho Power Company - 1 -**

**Selected Answer:** Yes

**Answer Comment:**

I agree that confidential information disclosures require clarity in light of corporate customer data protection policies and the potential impact resolution of a policy compliant response has on the information request time requirements identified in the MOD. However, with requests at system level, conflicts occurrences would be an infrequent exception.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Lee Pedowicz - Northeast Power Coordinating Council - 10 - NPCC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Michael Lowman - Duke Energy - 1,3,5,6 - FRCC,SERC,RFC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

**Duke Energy agrees that clarification is needed.**

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Jason Marshall - ACES Power Marketing - 6 - MRO,WECC,TRE,SERC,SPP,RFC**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**

We agree additional clarity is needed and recommend removing redundancies in R4. First, R4 should be clarified so that no Resource Planner (RP) can request energy and demand data from another RP. There simply is no situation in which one RP needs another RP's data. This is a FERC standards of conduct issue as it deals with competition between RPs. Second, R4 should not include the PC and BA as requesting entities since they will already be requesting data via R1. These two steps alone will eliminate the majority of the ambiguity and redundancy.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Rachel Coyne - Texas Reliability Entity, Inc. - 10 -**

Selected Answer: Yes

**Answer Comment:**

Texas RE recommends providing clarity in order to deter entities from activities that do not support reliability.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Chris Scanlon - Exelon - 1 -**

Selected Answer: No

**Answer Comment:**  
Exelon doesn't think the requirement needs clarification.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Shannon Mickens - Southwest Power Pool, Inc. (RTO) - 2 - SPP**

Error: Subreport could not be shown.

Selected Answer: Yes

**Answer Comment:**  
We agree there should be some type of clarity added to the standard in

reference to confidential information. At this point, the current language doesn't suggest the proper handling of confidential information by any of the applicable entities. We would suggest addressing the confidential piece in Requirement R2 where the applicable entities are requesting this type of data should verify potential confidential information and the entity providing this data marking the information as such 'confidential' so there is no confusion on how this data should be handled. We also suggest to the drafting team to mention in the requirement that the data being requested is pertaining to EIA-411 and this connection needs to be re-establish on what type of data is being requested.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

---

**Andrea Jessup - Bonneville Power Administration - 1,3,5,6 - WECC**

**Selected Answer:** No

**Answer Comment:**

BPA believes to properly plan you must provide some confidential information generically.

**Document Name:**

**Likes:** 0

**Dislikes:** 0



**RoLynda Shumpert - SCANA - South Carolina Electric and Gas Co. - 1,3,5,6 - SERC**

Selected Answer: No

**Answer Comment:** No additional clarity is needed.

**Document Name:**

**Likes:** 0

**Dislikes:** 0

**Sandra Shaffer - Berkshire Hathaway - PacifiCorp - 6 -**

Selected Answer: Yes

**Answer Comment:**

**Document Name:**

**Likes:** 0

**Dislikes:** 0