# Review of TOP-002-2b—Normal Operations Planning (Filing 2)

http://www.nerc.com/files/TOP-002-2b.pdf

## **VSLs for Requirement R16:**

Standard,	Requirement	Lower	Moderate	High	Severe	Comments
Requirement	Language					
TOP-002-2b, R16	Subject to	Subject to	Subject to	Subject to	Subject to	Citing potential
	standards of	standards of	standards of	standards of	standards of	Guideline 1 and 3
	conduct and	conduct and	conduct and	conduct and	conduct and	issues, FERC was
	confidentiality	confidentiality	confidentiality	confidentiality	confidentiality	concerned that
	agreements,	agreements, the	agreements, the	agreements, the	agreements, the	the requirements
	Transmission	Transmission	Transmission	Transmission	Transmission	did not include
	Operators shall,	Operator notified	Operator notified	Operator failed to	Operator failed to	any reference to
	without any	its Reliability	its Reliability	notify its	notify its	intentional delay,
	intentional time	Coordinator and	Coordinator and	Reliability	Reliability	stating that this
	delay, notify their	Balancing	Balancing	Coordinator and	Coordinator and	piece of the
	Reliability	Authority of	Authority of	Balancing	Balancing	requirement
	Coordinator and	changes in	changes in	Authority of	Authority of	seemed important
	Balancing	transmission	transmission	changes in	changes in	enough to
	Authority of	facility status	facility status	transmission	transmission	incorporate into
	changes in	(R16.1), but there	(R16.1) and rating	facility status	facility status	the requirement.
	capabilities and	was an intentional	(R16.2), but there	(R16.1).	(R16.1) and	
	characteristics	time delay.	was an intentional		changes in	NERC staff agreed
	including but not		time delay in	OR	transmission	that the VSLs
	limited to:	OR	both.		facility rating	could better
				Subject to	(R16.2).	match the
	R16.1. Changes in	Subject to		standards of		language in the
	transmission	standards of		conduct and		requirement and
	facility status.	conduct and		confidentiality		realized that
		confidentiality		agreements, the		further gradation
	R16.2. Changes in	agreements, the		Transmission		could be
	transmission	Transmission		Operator failed to		incorporated.

1	facility rating.	Operator notified	notify its
		its Reliability	Reliability
		Coordinator and	Coordinator and
		Balancing	Balancing
		Authority of	Authority of
		changes in	changes in
		transmission	transmission
		facility rating	facility rating
		(R16.2), but there	(R16.2).
		was an intentional	
		time delay.	

### Original R16 Guideline Explanation in the December 1, 2010 VSL Filing:

Consistent with Guidelines filed with FERC on August 10, 2009, incorporated the subrequirements into the main requirement VSL so that compliance is based on meeting criteria specified in components.

- Guideline 1: See P. 1014-1016 of the Guideline 1 Analysis Filing.
- Guideline 2: The VSLs comply with Guideline 2. The requirement has gradated VSLs; therefore, Guideline 2a is not applicable. The gradated VSLs ensure uniformity and consistency among all approved Reliability Standards in the determination of penalties. Therefore, no changes to the VSL language were required for consistency with FERC Guideline 2. Additionally, the VSL DT has reviewed the VSL text and has determined that, as revised, the VSL text is clear, specific and objective and does not contain general, relative or subjective language, satisfying Guideline 2b. Therefore, the text is not subject to the possibility of multiple interpretations of the VSLs and provides the clarity needed to permit the consistent and objective application of the VSLs in the determination of penalties by the Compliance Enforcement Authority.
- Guideline 3: The VSL DT compared the existing VSLs to the stated requirement language to ensure the VSLs do not redefine or undermine the reliability goal of the requirement. In accordance with Guideline 3, the VSL assignments are consistent with the requirement and the degree of compliance can be determined objectively and with certainty.
- Guideline 4: The VSL Assignments comply with Guideline 4, because they are based on a single violation of a Reliability Standard and are not based on a cumulative number of violations of the same requirement over a period of time.

## VSLs for Requirement R17:

Standard,	Requirement	Lower	Moderate	High	Severe	Comments
Requirement	Language					
TOP-002-2b, R17	Balancing	N/A	N/A	N/A	The responsible	Citing potential
	Authorities and				entity did not	Guideline 1 and 3
	Transmission				communicate the	issues, FERC was
	Operators shall,				information	concerned that
	without any				described in the	the requirements
	intentional time				requirements R1	did not include
	delay,				to R16 above to	any reference to
	communicate the				its Reliability	intentional delay,
	information				Coordinator.	stating that this
	described in the					piece of the
	requirements R1				OR	requirement
	to R16 above to					seemed important
	their Reliability				The responsible	enough to
	Coordinator.				entity	incorporate into
					intentionally	the requirement.
					delayed	
					communication of	NERC staff points
					the information	out that
					described in the	intentional delay
					requirements R1	is covered in the
					to R16 to its	second half of the
					Reliability	Severe VSL and
					Coordinator.	proposed no
						additional change.

## Original R17 Guideline Explanation in the <a href="December 1">December 1</a>, 2010 VSL Filing:

The VSL was modified to be consistent with Guideline 3.

- Guideline 1: See P. 1014-1016 of the Guideline 1 Analysis Filing.
- Guideline 2: The VSLs comply with Guideline 2. The requirement has a binary VSL assignment at the Severe level. This is consistent with other single VSL assignments for binary requirements, satisfying Guideline 2a. Additionally, the VSL DT has reviewed the VSL text and has determined that, as revised, the VSL text is clear, specific and objective and does not contain general, relative or subjective language, satisfying Guideline 2b. Therefore, the text is not subject to the possibility of multiple interpretations of the VSLs and provides the clarity needed to permit the consistent and objective application of the VSLs in the determination of penalties by the Compliance Enforcement Authority.
- Guideline 3: In accordance with Guideline 3, the VSL DT has revised the VSL assignments as noted in the redline text to be more consistent with the language of the requirement. Per stakeholder feedback, the Severe VSL was modified to reflect the components listed in the requirement. It was necessary to highlight that an entity could violate the requirement either by not communicating information or by intentionally delaying communication of that information. As revised, the VSL assignments are consistent with the requirement and the degree of compliance can be determined objectively and with certainty.
- Guideline 4: The VSL Assignments comply with Guideline 4, because they are based on a single violation of a Reliability Standard and are not based on a cumulative number of violations of the same requirement over a period of time.