

Unofficial Comment Form for Operating Personnel Credentials Standard (Project 2007-04)

Please **DO NOT** use this form. Please use the [electronic comment form](#) located at the link below to submit comments on the draft Operating Personnel Credentials standard. Comments must be submitted by **November 20, 2009**. If you have questions please contact **Darrel Richardson** at Darrel.Richardson@nerc.net or by telephone at 609-613-1848.

http://www.nerc.com/filez/standards/Certifying_SOs_Project_2007-04.html

Background Information:

The Operating Personnel Credentials standard is designed to ensure that System Operators performing the reliability-related tasks of the Reliability Coordinator, Balancing Authority and Transmission Operator have demonstrated competency through the Certification Process when filling the operating position responsible for control of the Bulk Electric System. This standard will replace standard PER-003-0 once it is approved by the appropriate entities. The focus of this standard has been to provide greater clarity in who exactly needs to be certified and what certificate is needed to operate the Bulk Electric System as a Reliability Coordinator, Balancing Authority or Transmission Operator.

The Drafting Team would like to receive industry comments on this standard. Accordingly, we request that you include your comments on this form by **November 20, 2009**.

- 1. The Purpose statement of the draft standard reads “To ensure that System Operators performing the reliability-related tasks’ of the Reliability Coordinator, Balancing Authority or Transmission Operator have demonstrated competency through the Certification Process when filling a real-time operating position responsible for the control of the Bulk Electric System”.**

Do you agree with the Purpose as written for this standard? If not, please explain in the comment area.

Yes

No

Comments: ATC is concerned that the proposed “Purpose” statement does not align with the requirements and measures as proposed.

ATC believes that this standard should focus on requiring System Operators (Associated with RC, TOP and BA) to be NERC certified and should not directly address the competency issue. We are making this statement because we believe that the minimum competency issue is adequately covered in the NERC Certification Process and therefore its inclusion in this standard is both duplicative and confusing.

Did the SDT look to the Certificate program for the identification of the list of competency?

Does the SDT have any members from the Certificate program or has the team reached out to the Certificate program in writing this standard?

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NERC's System Operation Certificate program includes a test which is developed by industry experts and overseen by NERC with a focus on specific competencies based on NERC Reliability Standards. Since those competencies are already documented and covered in the Certificate program it is duplicative to include them within this standard. In addition, ATC found the inclusion of the competencies confusing because the requirements are not clear on an entity's compliance obligations. (See additional comments under question 4)

Suggested Modification: (Purpose Statement)

"To ensure that System Operators of are NERC Certified."

We suggest deleting the phrase "performing the reliability-related tasks of the RC, BA and TOP" because the definition of System Operator is descriptive enough to cover this issue. In addition, the Applicability section already identifies which entities have to comply so we did not find it necessary to repeat them in the Purpose statement.

Could the SDT identify the deficiencies with the definition of System Operator which cases them to include the additional descriptive language?

See our comment about "demonstrated competency" in question 2.

- 2. The effective date of the draft standard reads "In those jurisdictions where regulatory approval is required, this standard shall become effective the first calendar day of the first calendar quarter six months after applicable regulatory approval. In those jurisdictions where no regulatory approval is required, this standard shall become effective the first calendar day of the first calendar quarter six months after Board of Trustees adoption".**

Do you agree with the effective date as written for this standard? If not, please explain in the comment area.

- Yes
 No

Comments: ATC does agree with the proposed effective date if the evidence to demonstrate compliance is limited to showing that our System Operators have a valid NERC Certificate.

ATC is does have a concern that if we are required to demonstrate (Test, Training, Course work) that each System Operator has the listed minimum competency then the effective date should be extended by an additional 24 months. (The 24 month suggestion was the time allotted for PER-005 which is similar in compliance obligations.)

3. Requirement R1 of the draft standard reads:

R1. Each Reliability Coordinator shall staff its real-time operating positions with System Operators who have demonstrated minimum competency in the areas listed to obtain and maintain a valid NERC Reliability Operator certificate.

1.1 Areas of Competency

1.1.1 Resources and Demand Balancing

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- 1.1.2 Transmission Operations
- 1.1.3 Emergency Preparedness and Operations
- 1.1.4 System Operations
- 1.1.5 Protection and Control
- 1.1.6 Voltage and Reactive
- 1.1.7 Interchange Scheduling and Coordination
- 1.1.8 Interconnection and Reliability Operations and Coordination

Do you agree with Requirement R1 as written for this standard? If not, please explain in the comment area.

Yes

No

Comments:

Please see are specific comments in question 4.

Proposed Modification:

Each RC shall staff its real-time operating positions with System Operators that have a valid NERC Reliability Operator certificate.

ATC suggest that the list of minimum competency be deleted.

4. Requirement R2 of the draft standard reads:

R2. Each Transmission Operator shall staff its real-time operating positions with System Operators who have demonstrated minimum competency in the areas listed to obtain and maintain a one of the following valid NERC certificate.

2.1 Areas of Competency

- 2.1.1 Transmission Operations
- 2.1.2 Emergency Preparedness and Operations
- 2.1.3 System Operations
- 2.1.4 Protection and Control
- 2.1.5 Voltage and Reactive

2.2 Certificates

- Reliability Operator
- Balancing, Interchange and Transmission Operator
- Transmission Operator"

Do you agree with Requirement R2 as written for this standard? If not, please explain in the comment area.

Yes

No

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Comments: The proposed language could be read to have multiple compliance obligations and should be re-written to have single compliance obligations.

The two compliance obligations:

- A) Transmission Operators have NERC Certified System Operators
- B) Transmission Operators have to demonstrate minimum competency in specific areas.

Item (A)

Based on the proposed measures entities can demonstrate that they have NERC Certified System Operators by producing valid NERC certificates.

Item (B)

We are concerned with the “demonstration of minimum competency” language contained within the requirement.

Does this require us to show evidence above and beyond the NERC Certificate? If so, then the Measures do not provide any information on the types of evidence. If not, then it is our position that the language is not needed and should be deleted from the requirement.

It’s our understanding that the team is including this language “demonstrate minimum competency” to address a FERC directive but we believe that the best approach is to provide FERC with a description of the Certification program and exclude the minimum competency list from this standard.

We proposed the following modifications:

Transmission Operators shall staff its real-time operating positions with System Operators that have one of the following valid NERC Certification.

- Reliability Operator
- Balancing, Interchange and Transmission Operator
- Transmission Operator

ATC is suggesting the deletion of the phrase “demonstrated minimum competency” because having a valid NERC Certificate already satisfies this goal. In addition, the removal provides for a clearer understanding of the requirement.

ATC also suggested that the removal of the phrase “obtain and maintain” because the requirement requires a valid NERC Certificate. All NERC Certificate have an effective period which is part of the valid NERC Certificate. It is redundant to require System Operators to obtain and maintain their NERC Certificate because either not having a certificate or having an expired certificate would place the entity in a non-compliance state. (To clarify an expired certificate is not an automatic non-compliance violation, but allowing an individual to staff the real-time desk without a valid certificate could be a compliance violation.)

5. Requirement R3 of the draft standard reads:

R3. Each Balancing Authority shall staff its real-time operating positions with System Operators who have demonstrated minimum competency in the areas listed to obtain and maintain a one of the following valid NERC certificate.

3.1 Areas of Competency

3.1.1 Resources and Demand Balancing

3.1.2 Emergency Preparedness and Operations

3.1.3 System Operations

3.1.4 Interchange Scheduling and Coordination

3.2 Certificates

Reliability Operator

Balancing, Interchange and Transmission Operator

Balancing and Interchange Operator”

Do you agree with Requirement R3 as written for this standard? If not, please explain in the comment area.

Yes

No

Comments:

Please see are specific comments in question 4.

Proposed Modification:

Each BA shall staff its real-time operating positions with System Operators that have a valid NERC Reliability Operator certificate.

Reliability Operator

Balancing, Interchange and Transmission Operator

Balancing and Interchange Operator

ATC suggest that the list of minimum competency be deleted.

6. Do you agree with the Measure for the requirements in the standard? If not, please explain in the comment area.

Yes

No

Comments: ATC agrees with the measure as written but believe that the requirements and purpose statement need to be modified to match.

We suggest that the wording around the “demonstration minimum competency” be removed because having a valid NERC Certificate demonstrates this concern. As we pointed out in question 4 by keeping this phrase the requirement becomes unclear and can be interpreted in multiple ways.

7. Do you agree with the Violation Risk Factors for each of the requirements in the standard? If not, please explain in the comment area.

Yes

No

Comments:

8. Do you agree with the Violation Severity Levels for each of the requirements in the standard? If not, please explain in the comment area.

Yes

No

Comments:

9. Do you agree with the proposed Implementation Plan for this standard? If not, please explain in the comment area.

Yes

No

Comments: ATC does agree with the proposed effective date if the evidence to demonstrate compliance is limited to showing that our System Operators have a valid NERC Certificate.

ATC is does have a concern that if we are required to demonstrate (Test, Training, Course work) that each System Operator has the listed minimum competency then the effective date should be extended by an additional 24 months. (The 24 month suggestion was the time allotted for PER-005 which is similar in compliance obligations.)

10. In FERC Order 693 the Commission directed the ERO to consider "grandfathering" of system operators. The SDT has strongly considered grandfathering and does not feel that it should be allowed within this standard. The major factors that the SDT based its decision to not allow for grandfathering are as follows:

- A. Certification ensures that System Operators with responsibility for real-time operations have a minimum level of knowledge that assists in their achieving reliable operations. As the ERO, NERC has responsibility for ensuring the real-time operation of the Bulk Electric System. Passing a certification examination is NERC's only available method to verify the minimum knowledge level of a System Operator.
- B. While a concern was expressed about experienced system operators not being able to pass an examination, there was no evidence provided to support this concern.

The SDT researched a sample of actual industry experience with the NERC System Operator Certification pass rates. The SDT members work within the industry and are associated with control centers across three North American Interconnections; therefore, researching the pass rates within their own organizations provides a valid

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sampling across the industry. The results of the survey are reflected in the following table.

System Operator Passing Rates			
Operators that took a NERC Certification Exam	Operators that successfully passed a NERC Certification Exam	Operators that required more than one attempt to pass a NERC Certification Exam	Operator with previous experience operating the BES unable to pass a NERC Certification Exam
200	196	14	0

These results led the SDT to the conclusion that the concern about experienced operators being unable to pass a NERC Certification exam were not well founded, when considering a sampling across the industry.

Grandfathering would greatly diminish the validity and defensibility of the NERC System Operator Certification Program. In doing the research, the SDT was unable to find evidence that the grandfathering would have a positive impact on either the NERC Certification Program or the reliability of the Bulk Electric System.

- C. A concern was raised that industry employers may have labor relations issues due to requiring portions of their workforce to hold a NERC System Operator Certification.

PER-003-1 applicability impacts the population of System Operators that are already NERC certified under PER-003-0. There should not be a large scale scope change impacting non-NERC certified personnel. Overall labor relations issues that arose due to the NERC System Operator Certification requirements have, for the most part, already been settled.

There are several members on the SDT that have had experience with the NERC System Operator Certification requirement being imposed on bargaining unit personnel within their organization. Their experience has been that it did open some discussion between management and the collective bargaining entity, but it was resolved equitable within their organizations. Most collective bargaining agreements have some provision that addresses regulatory or legal changes that affect the organization personnel.

- D. Another concern was raised about small industry entities retaining personnel within their organization once they have become better qualified by obtaining a NERC System Operator Certification. The concern appears to be that the System Operators would become more "marketable" and would possibly be enticed to leave smaller organizations to join larger organizations that typically have a higher pay scale.

As stated above, the target population for NERC System Operator Certification already holds a NERC Certification. There will not be a significant number of individuals who will become immediately more marketable than they were previously.

The NERC System Operator Certification Program is designed to ensure that System Operators who are making decisions impacting the operation of the Bulk Electric System have at least a minimum knowledge level. Whether a System Operator works for a large or small entity, verifying their minimum knowledge level has a very positive impact on the Bulk Electric System reliability. While personnel retention is

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an issue within the industry, reducing requirements on verifying and improving the capabilities of System Operators is not an appropriate corrective action.

Do you agree with the proposed concept that “grandfathering” not be allowed? If not, please explain in the comment area.

Yes

No

Comments: ATC agrees that grandfathering should not allowed as a replacement for a valid NERC Certification, but we do believe that if the competency list is kept in the standard then entities should be allowed to demonstrate that through a “grandfathering” provision.

11. In FERC Order 693 the Commission directed the ERO to include the minimum competencies that must be demonstrated to become and remain a certified system operator. The SDT has identified topical areas for which minimum competency must be validated through the certification process.

Do you agree with the method the SDT has used to meet the FERC directive? If not, please explain in the comment area.

Yes

No

Comments: We believe that the inclusion of the minimum competency are already covered in the NERC Certification process and should be eliminated from this standard.

As we stated in earlier question we believe that the team should work with the Certification Group and NERC to develop a summary of this program that should be able to address FERC’s concern.

ATC is concern that keeping the list of minimum competency in each requirement may mean the entities will have to demonstrate above and beyond the NERC Certificate that their System Operators are competent in these areas.

ATC would suggest that the SDT also look at the industry approved PER-005 standard which requires a systematic approach to training for system operators and covers the competencies contained within this standard.

The combination of the NERC Certificate program and PER-005 adequately address this concern and is therefore not needed is this standard.

12. If you are aware of any conflicts between the proposed standard and any regulatory function, rule order, tariff, rate schedule, legislative requirement, or agreement please identify the conflict in the comments section.

Comments:

13. Please provide any other comments (that you have not already provided in response to the questions above) that you have on the draft standard PER-003-1.

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Comments: ATC believes that if the SDT retains the minimum competency list then we believe that the NERC Certification programs should be updated in parallel in order to identify the necessary CEH's.