

Official Comment Form for Project 2007-23 — Violation Severity Levels

Please **DO NOT** use this form. Please use the [electronic comment form](#) to submit comments on the proposed revisions to 14 sets of VSLs. Comments must be submitted by **February 18, 2011**. If you have questions please contact Mallory Huggins at mallory.huggins@nerc.net or by telephone at 609-619-1629.

Individual Commenter Information		
(Complete this page for comments from one organization or individual.)		
Name:		
Organization:		
Telephone:		
E-mail:		
NERC Region		Registered Ballot Body Segment
ERCOT		1 — Transmission Owners
FRCC		2 — RTOs and ISOs
MRO		3 — Load-serving Entities
NPCC		4 — Transmission-dependent Utilities
RFC		5 — Electric Generators
SERC		6 — Electricity Brokers, Aggregators, and Marketers
SPP		7 — Large Electricity End Users
WECC		8 — Small Electricity End Users
NA – Not Applicable		9 — Federal, State, Provincial Regulatory or other Government Entities
		10 — Regional Reliability Organizations and Regional Entities

Background Information

In its June 19, 2008 VSL Order, FERC directed NERC to review all Violation Severity Level (VSL) assignments – with the exception of those for which the Commission directed specific modification – for compliance with the following Guidelines 2b, 3, and 4 and submit a compliance filing either validating the current VSL assignments or proposing revision.

- Guideline 2b — VSLs should not use ambiguous terms such as "minor" or "significant" to describe noncompliant performance.
- Guideline 3 — VSLs should be consistent with the corresponding requirement (VSLs should not expand on what is in the requirement).
- Guideline 4 — VSLs should be based on a single violation, not on a cumulative number of violations (unless stated otherwise in the requirement).

The VSL Drafting Team (VSL DT) posted the proposed VSLs¹ for stakeholder comment from April 1-30, 2009. The drafting team produced a redline version of each set of VSLs to show stakeholders the original set of VSLs that was balloted in 2008, the changes proposed by the VSL DT in April 2009, and additional changes made based on stakeholder comments in June 2009.

The modifications made during this process were filed with FERC on March 5, 2010. In December 2010, NERC and FERC staffs met to discuss 14 sets of VSLs in need of modification. In some cases, changes were needed for clarity, and in other cases, there was a need to modify a VSL to ensure compliance with FERC's VSL Guidelines.

In coordination with members of the VSL DT for Project 2007-23, NERC staff made changes to ensure clarity and compliance with FERC Guidelines, and these changes have been posted here for industry review. A ballot pool from the last VSL comment period and nonbinding poll, which took place from September 27, 2010 through November 6, 2010, has been cloned to create the ballot pool for this concurrent comment period and nonbinding poll.

Included in this posting are a clean version of the affected VSLs and a redline version of the VSLs compared to the current FERC-approved VSLs. The documents have been posted for a 30-day concurrent formal comment and nonbinding poll period that will end at 8 p.m. EST on February 18, 2010. **The nonbinding poll will take place during the last ten days of this period, beginning at 8 a.m. EST on February 9, 2010.**

NERC staff, in coordination with the VSL Drafting Team, will consider and respond to comments and make conforming changes where necessary. The revised VSLs will be presented to the Board of Trustees for approval, and then will be filed with applicable regulatory authorities.

Project page: http://www.nerc.com/filez/standards/VSLs_Project_2007-23.html

¹ BAL-001 through BAL-006; CIP-001; COM-001 and COM-002; FAC-001, FAC-002, FAC-003, FAC-008, FAC-009, and FAC-013; INT-001, INT-003 through INT-010; IRO-001 through IRO-006 and IRO-014 through IRO-016; MOD-006, MOD-007, MOD-010, MOD-012, and MOD-016 through MOD-021; PER-001 through PER-004; NUC-001; PRC-001, PRC-004, PRC-005, PRC-007 through PRC-011, PRC-015 through PRC-018, PRC-021, and PRC-022; TOP-001 through TOP-008; TPL-001 through TPL-004; VAR-001 and VAR-002

You do not have to answer all questions. Enter all comments in Simple Text Format.

1. Do you agree with the proposed VSL(s) modifications for BAL-003-0.1b, R1? If not, please offer your suggested alternative language.

Yes

No

Comments:

2. Do you agree with the proposed VSL(s) modifications for COM-001-1.1, R2? If not, please offer your suggested alternative language.

Yes

No

Comments:

3. Do you agree with the proposed VSL(s) modifications for COM-002-2, R1.1? If not, please offer your suggested alternative language.

Yes

No

Comments: To be consistent with NERC's August 10, 2009 informational filing regarding VSLs and VRFs, these VSLs should be rolled up to the main requirement. Furthermore, the Commission expressed in paragraph 27 of its June 19, 2008 Order on VSLs its desire for graduated VSLs where possible. Clearly, it is possible to establish Lower and Moderate VSLs based on the number of Balancing Authorities and Transmission Operators notified.

4. Do you agree with the proposed VSL(s) modifications for FAC-003-1, R1.2.2.1? If not, please offer your suggested alternative language.

Yes

No

Comments:

5. Do you agree with the proposed VSL(s) modifications for IRO-004-1, R1? If not, please offer your suggested alternative language.

Yes

No

Comments: The original VSLs for the number of days missed were satisfactory and met FERC conditions because the requirement talks about reliability analyses which is plural. Thus, all analyses are to be considered in aggregate. To do otherwise would be equivalent to changing analyses to analysis in the requirement which would violate a FERC guideline 3. Furthermore, the Commission expressed in paragraph 27 of its June 19, 2008 Order on VSLs its desire for graduated VSLs where possible. Graduated VSLs could be written based on whether all SOLs, IROs, contingencies, etc. are included in the analysis.

6. Do you agree with the proposed VSL(s) modifications for IRO-004-1, R3? If not, please offer your suggested alternative language.

Yes

No

Comments: The proposed VSLs violate FERC guideline 3 as it changes the requirement. The requirement is written to consider all action plans in aggregate by using action plans in the plural form. Thus, considering each action a separate violation is equivalent to changing "action plans" to "action plan" in the requirement.

7. Do you agree with the proposed VSL(s) modifications for IRO-004-1, R4? If not, please offer your suggested alternative language.

- Yes
 No

Comments: Based on the wording, exactly one hour, two hours and three hours are excluded from the VSLs. This is a gap that should be fixed.

8. Do you agree with the proposed VSL(s) modifications for IRO-004-1, R5? If not, please offer your suggested alternative language.

- Yes
 No

Comments: Commission guideline 3 is violated for these VSLs as they deviate from the requirement. As the VSLs are written, they imply that the Reliability Coordinator is in violation of the requirement any time it makes its results available later than 1500 CST in the Eastern Interconnection. This, in fact, is not the case. The only time the Reliability Coordinator would be in violation of such a situation is if circumstances did not warrant the tardiness. In fact, it is possible that the Reliability Coordinator could be late with the results every day as long as circumstances are warranted. An obvious circumstance that would warrant the tardiness is the responsible entities in IRO-004-1 R4 violating that requirement by providing the data late to the Reliability Coordinator. All VSLs need to include the language "unless circumstances warrant otherwise" that is included in the requirement.

For consistency in language across all VSLs and with the requirement, "information" in the Moderate, High and Severe VSLs should be changed to "results".

9. Do you agree with the proposed VSL(s) modifications for IRO-006-4.1, R3? If not, please offer your suggested alternative language.

- Yes
 No

Comments: The first part of the Sever VSL should be moved to Lower. If a Reliability Coordinator uses an unapproved **but** effective substitute procedure, they still have achieved the intent of the requirement.

10. Do you agree with the proposed VSL(s) modifications for PRC-001-1, R1? If not, please offer your suggested alternative language.

- Yes
 No

Comments: This is a poor requirement that needs to be rewritten or retired. As a result, it is impossible to write quality VSLs for this requirement.

11. Do you agree with the proposed VSL(s) modifications for PRC-001-1, R3.1? If not, please offer your suggested alternative language.

Yes

No

Comments:

12. Do you agree with the proposed VSL(s) modifications for PRC-001-1, R3.2? If not, please offer your suggested alternative language.

Yes

No

Comments:

13. Do you agree with the proposed VSL(s) modifications for PRC-005-1, R1? If not, please offer your suggested alternative language.

Yes

No

Comments: For the High VSL, replace "was" with "were".

14. Do you agree with the proposed VSL(s) modifications for PRC-010-0, R1? If not, please offer your suggested alternative language.

Yes

No

Comments: