# Posting 1 – NERC 45 Day Posting

## Posting 1 – NERC 45 Day Posting

This project was posted for comment by NERC for 45-day comment, from January 26, 2022 through March 11, 2022.

NERC distributed notice for the posting on January 26, 2022.

Per WECC’s Reliability Standards Development Procedures (Procedures), *substantive concerns* and suggestions for the drafting team are solicited and addressed during the WECC-provided Comment/Response period(s). This project was posted for comment six times soliciting substantive comment on the project.

By contrast, per NERC’s Rules of Procedure, NERC’s 45-day posting process is designed to address the sufficiency of the *development process* through which the proposed Regional Reliability Standard (FAC-501-WECC-3) was developed.

NERC received comments from the following:

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| Commenter | Organization |
| Alan Wahlstrom | Southwest Power Pool (SPP) |
| Alyssia Rhoads | Snohomish County Public Utility District Number 1 (SCPUD) |
| Cain Braveheart | Bonneville Power Administration (BPA) |
| Carl Pineault | Hydro-Quebec Production (HQP) |
| Daniella Atanasovski | Arizona Public Service (APS) |
| Donna Wood | Tri-State Generation and Transmission (Tri-State) |
| Jennifer Malon | Black Hills Corporation (BHC) |
| Jessica Turk | Avista |
| Matthew Jaramilla | Salt River Project (SRP) |
| Richard Jackson | United States Bureau of Reclamation (USBR) |
| Shannon Mickens | Southwest Power Pool (SPP) |

## Location of Comments

Comments can be viewed in their original NERC-provided format on the WECC-0141 project page under the “Submit and Review Comments” accordion.

**Depth of Participation**

WECC and the WECC-0141 DT appreciate the opportunity to address comments provided by SCPUD and others; however, SCPUD’s late appearance does raise concern.

WECC notes that this project was posted for comment on six separate occasions between August 3, 2020, and August 28, 2021, with an overall development window spanning a full two years. Eighteen public meetings were held soliciting public comment on substantive issues.[[1]](#footnote-1)

There is no indication that SCPUD engaged in the substantive development process nor in the finalizing ballot for the project.

SCPUD was well represented on the Procedurally mandated Standards Email List whereby notice for each step of this process was provided.

Per Order 672, P 334, FERC “will not be sympathetic to arguments by interested parties that choose, for whatever reason, not to participate in the ERO’s Reliability Standard development process…”

**Changes in Response to Comment**

After full consideration of all comments received (both in and out of scope), the WECC-0141 DT chose to make no further changes to the project.

All entities addressing the Procedurally based questions posed by NERC support the premise that the project was developed in a fair, open, and transparent manner. One entity in dissent provided responses outside of the scope and call of NERC’s questions.

## Minority View

Only one utility (SCPUD) provided comments or concerns regarding the project. All others were in support of the project. SCPUD did not directly respond to many of NERC’s Procedurally focused questions regarding the open, fair, and transparent development of the project.

SCPUD’s comments were focused on making substantive changes to the project. Many of SCPUD’s concerns were previously addressed during the two-year development window producing six separate postings with an invitation for comment.

During the two-year development period, SCPUD neither provided comments nor participated in the balloting process.

*Subsequent Entry:*

This project was augmented by WECC-0149, Table Revision Process. During the substantive development of WECC-0149, the industry was invited to contribute further comments during two postings for comments, four drafting team meetings, a WSC meeting, a Standards Briefing, and a WECC Board of Directors meeting. Further comments could also be submitted during the balloting process.

SCPUD did not provide comments in either posting or Standards Briefing, nor did SCPUD participate in the WECC-0149 finalizing ballot, during which additional comments could have been provided.

## Proposed Effective Date

The proposed effective date is the “First day of the second quarter following regulatory approval.”Because changes to FAC-501-WECC-2, Transmission Maintenance may affect other NERC Standards, the drafting team recommendation is that NERC review those other Standards and consider a coordinated implementation date if deemed appropriate by NERC. (See the Implementation Plan, Posting 5 and Attachment F, Implementation Plan included with the NERC filing.)

## Action Plan

This project has been approved by a WECC Ballot Pool, the WECC Standards Committee, and the WECC Board of Directors. The project will be forwarded to NERC with a request for NERC/FERC disposition.

*Subsequent Entry:*

After discussions with NERC regarding implementation of WECC-0141, NERC and WECC concluded that with minor changes to the Implementation Plan, proposed changes could be implemented more quickly. WECC-0149, Table Revision Process, was developed and completed to meet that need.

**Impact on Other WECC Documents**

Please see WECC-0141, Posting 1, Section 5.2 for information regarding other documents impacted by this project. They are specified as:

1. FAC-003-4, Transmission Vegetation Management referencing the “Major WECC Transfer Path in the Bulk Electric System by WECC”;
2. FAC-501-WECC-4, Transmission Maintenance referencing the “Major WECC Transfer Paths in the Bulk Electric System (Table).”
3. PRC-023-4, Transmission Relay Loadability referencing a “major transfer path within the Western Interconnection as defined by the Regional Entity”; and,
4. The NERC Glossary of Terms Used in Reliability Standards referencing a “major transfer path within the Western Interconnection.”

## Contacts and Appeals

If you feel your comment has been omitted or overlooked, please contact [W. Shannon Black](mailto:sblack@wecc.org), WECC Consultant, at (503) 307-5782. In addition, there is a WECC Reliability Standards appeals process.

# Index to Questions, Comments, and Responses

### Question

1. Do you agree the proposed Regional Reliability Standard was developed in a fair and open process, using the associated Regional Reliability Standards Development Procedure?
2. Does the proposed Regional Reliability Standard pose an adverse impact to reliability or commerce in a neighboring region or interconnection?
3. Does the proposed Regional Reliability Standard pose a serious and substantial threat to public health, safety, welfare, or national security?
4. Does the proposed Regional Reliability Standard pose a serious and substantial burden on competitive markets within the interconnection that is not necessary for reliability?
5. Does the proposed Regional Reliability Standard meet at least one of the following criteria?
   1. The proposed Regional Reliability Standard has more specific criteria for the same requirements covered in a continent-wide standard.
   2. The proposed Regional Reliability Standard has requirements that are not included in the corresponding continent-wide standard.
   3. The proposed regional difference is necessitated by a physical difference in the Bulk Power System.

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| Comment Summary.  For proposed changes and avenues forward, please see the summary above.  *Question 1 -* Do you agree the proposed Regional Reliability Standard was developed in a fair and open process, using the associated Regional Reliability Standards Development Procedure? |

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| Commenter | Comment |

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| All respondents except SCPUD. | All those responding to the question agreed the project was developed in a fair and open process. HQ as Generator Operator/Generator Owner at the Northeast Power Coordinating Council had no comment. |

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| Response |  |

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| The WECC-0141 drafting team (DT) appreciates time and talents of all those participating. |

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| Commenter | Comment |

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| SCPUD | “No designation as to yes or no. Insufficient information to conclude one way or another, a comment period was provided for the proposed changes by NERC. Feedback regarding consideration of comments provided is expected.” |

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| Response |  |

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| The WECC-0141 DT appreciates SCPUD’s participation in the standards development process.  As to NERC Q1 regarding “open and transparent” process using WECC’s Regional Reliability Standards Development Procedures (Procedures), SCPUD’s comments in NERC Q1 indicate:  1) They have “no designation as to yes or no” as “there is insufficient information to conclude one way or another,” and 2) SCPUD expects “feedback regarding consideration of [its] comments…”  SCPUD’s statement is inaccurate.  At the threshold, NERC’s question goes to procedure—not substantive change.  During the development of this project, SCPUD was continuously included in the Standards Email Exploder (SEL) and was thereby included in all Procedural notice required for this project. SCPUD received notices including:   1. Notice of publicly held drafting team meetings (12 meetings; 2 cancelled), 2. Notice that a drafting team was being solicited for the project, 3. Notice of six postings for public comment, 4. Notice of ballot pool forming, 5. Notice of standards briefing, 6. Notice of ballot, 7. Disposition/approval of the project by the WECC Standards Committee (WSC) (in the form of the WSC notices and minutes, and 8. Notice of WECC Board of Director action (Board) (in the form of the Board notices and minutes).   These WECC notices were supplemented by the single NERC notice requesting comment regarding the *procedural* development of this project.  As such, notice and the ability to engage in *substantive* comment/response was afforded to SCPUD as dictated in the Procedures; however, the record shows SCPUD did not avail itself of those processes.  Finally, even though SCPUD’s comments are outside the scope of the question (was the project developed per WECC’s Procedures), the DT has duly considered all of SPUD’s concerns, opting to make no further substantive changes. |

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| Comment Summary.  For proposed changes and avenues forward, please see the summary above.  *Question 2* - Does the proposed Regional Reliability Standard pose an adverse impact to reliability or commerce in a neighboring region or interconnection? |

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| All respondents except SPUD. | All those responding to the question agreed the project posed no adverse impact to reliability or commerce in a neighboring region or interconnection. HQ as Generator Operator/Generator Owner at the Northeast Power Coordinating Council had no comment. |

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| Response |  |

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| The WECC-0141 drafting team (DT) appreciates time and talents of all those participating. |

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| SCPUD | SCPUD responded “yes” to question two.  ”The adverse impact to reliability and commercial operation is taking additional time away from SMEs (that could otherwise be spent on entity reliability projects), to categorize and discuss the new proposed categories in Attachment A Section 2 Maintenance.  I expect utilities to continue with their existing work practices. There appears to be redundant categories with the proposed two additional categories in Attachment A Section 2 Maintenance.  As it applies to Section C, M3 1.2, language and specificity is very important in interpreting applicability in which to achieve the intended and desired results being set forth in FAC-501. There is potential variation in interpretation of the proposed language. I provided a suggested edit I believe provides additional clarity.” |

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| Response |  |

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| SCPUD misses the call of the question.  NERC Q2 is dedicated to understanding the impact of the proposed standard on “neighboring region[s] or interconnection[s].” (Emphasis added.) Because this is a Regional Reliability Standard, it imposes no burden on neighboring interconnections/regions. As to SCPUD’s concern regarding burden, please see below. |

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| Comment Summary. For proposed changes and avenues forward, please see the summary above.  *Question 3* - Does the proposed Regional Reliability Standard pose a serious and substantial threat to public health, safety, welfare, or national security? |

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| All respondents except SCPUD. | All those responding to the question agreed the project posed no serious and substantial threat to public health, safety, welfare, or national security. HQ as Generator Operator/Generator Owner at the Northeast Power Coordinating Council had no comment. |

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| Response |  |

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| The WECC-0141 drafting team (DT) appreciates time and talents of all those participating. |

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| SCPUD | SCPUD responded “no” to question 3; but, added the following.  “No. However, one could argue the reduction in time spent addressing reliability issues, increases the probability for a non-desired event occurring on the BES. Compliance and reliability are not the same thing. Compliance in an internal control mechanism to document business decisions and work practices to give EROs, NERC, and FERC assurance the utility is following good work practices to prevent and/or limit impacts that occur due to an event on the BES.” |

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| Response |  |

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| The DT concurs with SCPUD that the proposed standard does not pose a serious and substantial threat to public, health, safety, welfare, or national security. |

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| Comment Summary. For proposed changes and avenues forward, please see the summary above.  *Question 4* - Does the proposed Regional Reliability Standard pose a serious and substantial burden on competitive markets within the interconnection that is not necessary for reliability? |

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| Commenter | Comment |

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| All respondents except SCPUD. | All those except SCPUD agreed the project posed no serious and substantial burden on competitive markets within the interconnection.  HQ as Generator Operator/Generator Owner at the Northeast Power Coordinating Council had no comment. |

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| Response |  |

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| The WECC-0141 drafting team (DT) appreciates time and talents of all those participating. |

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| SCPUD | SCPUD responded “yes” to question 4, adding the following comment.  “Yes, time and resources impact the operating budgets and staff time burden in competitive markets. The new proposed language (added categories) could add additional burden in determining which category a maintenance methodology/work practice falls in to. The new categories potentially introduce inconsistencies across utilities, for a same/similar maintenance methodology / work practice, which would require additional correspondence with EROs about which category to define the Utility’s maintenance methodology/work practices fall in to. This would lead to additional burden on EROs to implement. As it applies to Attachment A, Section 2 Maintenance, the proposed added categories are redundant and can be combined. Recommend providing greater specificity/guidance in the existing categories, i.e.:   1. OEM manufacture based maintenance would fall under the time-based approach. 2. Condition Based (a combo of health assessment and the way in which the equipment is operated) is the same as risk based, consider combining versus a separate method, if there is a desire to provide parameters of what defines condition-based maintenance then put the specifics under the condition-based category section.   Again, as it applies to Section C, M3 1.2, language and specificity is very important in interpreting applicability in which to achieve the intended and desired results being set forth in NERC FAC-501. There is potential variation in interpretation of the proposed language. I provided a suggested edit I believe provides additional clarity. |

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| Response |  |

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| *Competitive Burden/Benefit-Burden Analysis*  SCPUD again misses the call of the question.  The call of the question is whether the standard imposes a serious and substantial burden on competitive markets. If the DT understands SCPUD’s argument, the newly proposed reliability tasks imposed in Attachment A may shift resources away from the market side of the industry to the reliability side of the industry. Thus, markets may be negatively impacted through a shifting of resources.  Though SCPUD’s argument is academically possible, the more likely scenario is that personnel currently assigned to the task will continue to perform the tasks, as required in Attachment A.  Because the project adds new categories without eliminating existing categories, if an applicable entity chooses to continue using the as-approved methods, that entity will have no new/changed burden. Alternatively, if an applicable entity wishes to use one of the as-proposed methods on Attachment A, SCPUD is correct that a di minimis burden may result. That said, it would be a burden of the applicable entity’s choice. As such, the DT does not concur that the as-proposed changes to Attachment A will impose any “serious or substantial” burden on competition.  *Variability is not a Flaw*  The DT concurs that, as proposed, implementation of the Transmission Maintenance Inspection Plan (TMIP) may vary from one utility to the next. However, variation is not a fatal flaw. Rather, the DT intentionally designed Attachment A to allow for varying configurations from one utility to the next—just as it is designed and approved today.  This approach avoids the pitfalls of drafting a “one-size-fits-all” or defaulting to the lowest common denominator, as voiced by FERC in Order 672, P329, see also Attachment K of this filing.  This is not a novel concept as evidenced in FAC-003, Vegetation Management (and elsewhere) wherein various attachments to that Standard specify varying tasks based on the specifics of the utility/geography.  SCPUD further argues that adding new categories will add burden because applicable entities will need to correspond with the ERO to determine which category an activity fall into. This is incorrect.  The plain read of the language says the Transmission Owner will: 1) have a TMIP, 2) update that TMIP, and 3) use that TMIP (Requirements R1-R3), and the TMIP must include specific elements (Attachment A).  The DT sees no language suggesting that the ERO must be consulted to determine into which category a task may fall. This does not negate the value of a TO/ERO discourse; rather, it merely points out that the TO can perform its task without ERO interaction as a condition precedent.  *OEM Subsumed / Combine the Categories*  SCPUD argues that OEM should be subsumed into “time-based.” To reiterate, this question was discussed in open forum in Postings 1-3 during which SCPUD did not provide comments.  Arguably, a manufacturer could specify that maintenance be performed each 12 months – nothing more. That would be time-based but, because the manufacturer specified it in its OEM recommendations, that same specification could also be classified as OEM. SCPUD sees this as a fatal flaw to be eliminated by subsuming OEM into time-based.  First, for example, an Original Equipment Manufacturer (OEM) might alternatively specify maintenance:  1) When equipment meets a physical state of decay or damage,  2) When a change in replacement parts is specified,  3) When supply chains change, or  4) Simply, when a part is known to prematurely fail and perhaps the manufacturer deems recall a necessity.  These specifications are not time-based; they are OEM. As such, there is a definite space for OEM not occupied by time-based. Even if a task could arguably fall into more than one method, it is the applicable entity conducting the task that determines which method it will follow.  If the DT understands correctly, SCPUD would condense the TMIP methods into fewer categories as a means to simplify implementation. If correct, SCPUD’s suggestion would combine the proposed five categories into two: 1) condition-based, and 2) time-based, thereby deleting the as-approved category of performance-based.  For the sake of argument, if all proposed categories were rolled into a single category yet retained all of the proposed elements as subsets – the result would be the same. Restated, the number and titles of the categories are irrelevant. It is the content of the category that is relevant.  Contrasting SCPUD’s concern, the expansion of categories proposed for Attachment A allows each applicable entity to choose and implement a maintenance plan best suited to align with the realities of its equipment, uses, and system-specific challenges that may not be a solid fit for any of the as-approved approaches.  *Interpretation*  If the DT reads SCPUD’s comment correctly regarding “[a]s it applies to Section C, M3 1.2,” SCPUD suggests M3 1.2 may need further interpretation. If that is correct, an interpretation process is available to SCPUD. Interpretation is outside of the scope of this project. |

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| Comment Summary. For proposed changes and avenues forward, please see the summary above.  *Question 5* - Does the proposed Regional Reliability Standard meet at least one of the following criteria? (See questions above for more detail.) |

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| Commenter | Comment |

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| All respondents including SPUD. | All respondents agreed the project met at least one of the NERC-mandated reliability criteria.  HQ as Generator Operator/Generator Owner at the Northeast Power Coordinating Council had no comment. |

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| Response |  |

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| The WECC-0141 drafting team (DT) appreciates time and talents of all those participating. |

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| Commenter | Comment |

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| SCPUD | SCPUD added the following comments.  “The proposed Regional Reliability Standard has more specific criteria for the same requirements covered in a continent-wide standard.” |

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| Response |  |

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| The WECC-0141 DT appreciates SCPUD’s observation and concurs. |

1. 15 drafting meetings, 1 WECC Standards Committee meeting, 1 Standards Briefing, and 1 WECC Board of Directors meeting. [↑](#footnote-ref-1)