

**Comment Form – Draft 1, COM-001-1 – Telecommunications**

This form is to be used to submit comments on the proposed revisions to COM-001-1, Telecommunications. Comments must be submitted by **March 20, 2006**. You may submit the completed form by e-mailing it to: [sarcomm@nerc.com](mailto:sarcomm@nerc.com) with the words "Telecommunications Standard" in the subject line. If you have questions please contact Mark Ladrow at [mark.ladrow@nerc.net](mailto:mark.ladrow@nerc.net) or by telephone at 609-452-8060.

**ALL DATA ON THIS FORM WILL BE TRANSFERRED AUTOMATICALLY TO A DATABASE. IT IS THEREFORE IMPORTANT TO ADHERE TO THE FOLLOWING REQUIREMENTS:**

- DO:**     **Do** enter text only, with no formatting or styles added.  
           **Do** use punctuation and capitalization as needed (except quotations).  
           **Do** use more than one form if responses do not fit in the spaces provided.  
           **Do** submit any formatted text or markups in a separate WORD file.

- DO NOT:**   **Do not** insert tabs or paragraph returns in any data field.  
               **Do not** use numbering or bullets in any data field.  
               **Do not** use quotation marks in any data field.  
               **Do not** submit a response in an unprotected copy of this form.

<b>Individual Commenter Information</b>	
(Complete this page for comments from one organization or individual.)	
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NERC Region	Registered Ballot Body Segment
<input type="checkbox"/> ERCOT	<input type="checkbox"/> 1 — Transmission Owners
<input type="checkbox"/> FRCC	<input checked="" type="checkbox"/> 2 — RTOs, ISOs, Regional Reliability Councils
<input type="checkbox"/> MRO	<input type="checkbox"/> 3 — Load-serving Entities
<input checked="" type="checkbox"/> NPCC	<input type="checkbox"/> 4 — Transmission-dependent Utilities
<input type="checkbox"/> RFC	<input type="checkbox"/> 5 — Electric Generators
<input type="checkbox"/> SERC	<input type="checkbox"/> 6 — Electricity Brokers, Aggregators, and Marketers
<input type="checkbox"/> SPP	<input type="checkbox"/> 7 — Large Electricity End Users
<input type="checkbox"/> WECC	<input type="checkbox"/> 8 — Small Electricity End Users
<input type="checkbox"/> NA – Not Applicable	<input type="checkbox"/> 9 — Federal, State, Provincial Regulatory or other Government Entities



### Background Information

The Compliance Elements Standard Drafting Team (CESDT) is responsible for adding the 'missing' measures and/or compliance elements to the 22 Version 0 Standards that were translated from Operating Policies and Operating Compliance Templates that did not contain this information. Note that the CESDT's scope **does not** allow making any modifications to the requirements in these standards – the CESDT is limited to adding measures and compliance elements that support the approved requirements. The drafting team will not be able to use comments suggesting modifications the requirements.

The CESDT developed an approach to these revisions that may work for all 22 standards. The CESDT applied its draft approach to modifying COM-001-0, and is seeking quick feedback on the acceptability of this approach before proceeding with revisions to the entire set of 22 standards<sup>1</sup>.

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<sup>1</sup> The comment period for this posting is 30-days, but successive postings will be 45 days long.

This first set of questions asks for feedback on the approach to modifying the Version 0 Standards. If you don't support the proposed approach, please be specific in identifying why you think the approach isn't appropriate, and provide an alternate approach if possible.

**CESDT Approach to Adding “Measures” to the 22 Version 0 Standards:**

1. Each Requirement will have at least one Measure; a Measure may be used for more than one Requirement.
2. If a Measure requires ‘evidence’, then examples of the types of evidence that would support compliance to the Requirement will be included in the measure.
3. If a Requirement is prescriptive, then the evidence required will match that prescription.
4. If the CESDT cannot develop an effective “Measure” for a requirement, a ‘temporary’ comment will be added to explain why no measure was added. The CESDT will recommend that either an interpretation be developed or a SAR be submitted to address the requirement.
5. If the CESDT determines that the intent of a Requirement is essentially duplicated in another Standard, and there is no Measure in the other Standard, the CESDT will develop a Measure, and a footnote will be added to identify the associated duplicate Measure. If there is a question about the duplication the drafting team will ask stakeholders for feedback.

1. Do you agree with the CESDT's approach to adding Measures as identified in the five items above? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments: We generally support the CESDT approach noted and further suggest the requirement number to which the measure applies be included in each measure.

While we believe the CESDT provided a valuable service by suggesting 'types of evidence' in the measures where the requirement is silent, we are concerned that by doing so, these types of 'evidence' become de-facto requirements. By not modifying the actual requirement and clearly defining what 'evidence must be produced" in the requirement, we will continue to have inconsistency in compliance monitoring.

We also share the view the possibility exists where an existing requirement may be inappropriate. There should be an option in the proposed process to highlight this fact that a given standard/ requirement may in fact be questionable BEFORE it is given a Measurement at all.

**CESDT Approach to Adding “Compliance Monitoring Period and Reset Time Frame” to the 22 Version 0 Standards:**

If the violation or charge of violation of a Requirement is deemed to have serious implications with regards to reliability of the Bulk Electrical System, the entity involved will be directed to inform the Regional Reliability Organization within 24 hours of the violation or charge of violation, and the Regional Reliability Organization will notify NERC within 48 hours.

2. Do you agree with the CESDT's approach to adding the “Compliance Monitoring Period and Reset Time Frame” as identified above? If not, please explain why you disagree.

Yes

No

Comments:

We agree that each standard should have the same common format and sections. However, the information shown in the yellow box above does not match this question.

While we agree that reporting of a violation can be useful for event driven, need-to-know information, record and follow up action purposes, we do not agree that there is urgency to report within the prescribed time periods noted in the yellow box.

Requirements which require 48 hour notification of violations should be determined annually as they are now by the CCMC and approved by the BOT, not the drafting teams. The determination of which standards need 48 hour reporting is a process question and should not be part of the actual standard. We would not want to have to repost and ballot these standards for this type of change. We suggest excluding reference to 48 hour reporting in a standard.

Moreover, the term "deemed to have serious implications with regards to reliability of the Bulk Electrical System" needs to be defined and that would require some time for obtaining industry consensus. Providing the missing measures and compliance elements at this time should be priority, rather than introducing elements that may not add much value to the standard development process.

If such reporting requirements are needed, they are best introduced as requirements in the appropriate standards at their future revisions.

Note that any corrective actions to remedy the adverse impacts of a violation, if any, would be directed by the concerned reliability functional entities. Under such situation, these entities' priority would be to mitigate, contain and minimize the adverse impacts.

**CESDT Approach to Adding “Data Retention” Periods to the 22 Version 0 Standards**

If a standard needs specific retention rules for evidential data these may be developed, otherwise the default retention periods for this set of standards will be:

1. If compliance is measured by routine periodic audit, evidential data must be retained for four years unless stated otherwise in the Measures. (This complements the three year periodic audit cycle.) However, if retaining a specific type of evidence would result in an unreasonable amount of information storage, the CESDT may define a shorter retention period than four years for that evidence.
2. If compliance is measured by self-certification, then evidential data used as proof of compliance for the self-certification audit must be retained until the next periodic audit.
3. If compliance is measured by spot audit, then evidential data must be retained for at least four years.
4. If an entity is found non-compliant the entity shall keep information related to the non-compliance until found compliant.
5. The Compliance Monitor shall keep the last periodic audit report and all subsequent compliance records.

3. Do you agree with the CESDT’s approach to adding the “Data Retention” periods as identified in the five items above? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments: While we agree with the data retention requirements, we believe a generic retention period be specified for all standards and it be referenced. Only include retention period exceptions in individual standard when they need to deviate form the generic retention period; such as the "one of" audit or certification process, e.g. entity certification which is a one-time, initial process for which the data retention period should be much shorter.

**CESDT Approach to Adding “Additional Compliance Information” to the 22 Version 0 Standards**

Under the “Additional Compliance Information” each standard will include one or more of the following methods to assess compliance:

1. Self-certification (Conducted annually with submission according to schedule.)
2. Spot Check Audits (Conducted anytime with 30 days notice given to prepare.)
3. Periodic Audit (Conducted once every three years according to schedule.)
4. Triggered Investigations (Conducted within 60 days of an event or complaint of non-compliance with up to 30 days notice given to prepare.)

4. Do you agree with the CESDT’s approach to using the four methods of assessing compliance as identified above for the “Additional Compliance Information” section of

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the standards? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments: This information should be included under Section 1.2 Compliance Monitoring (Process) and Reset Time Frame.

**CESDT Approach to Adding Levels of Non-Compliance to the 22 Version 0 Standards**

For the most critical requirements, there may be a **separate** finding of non-compliance for **each** of several different infractions within the same standard. The example below is from COM-001.

**2. Levels of Non-Compliance for Transmission Operator, Balancing Authority and Reliability Coordinator**

- 2.1. Level 1 —Used a language other than English without agreement as specified in R4.
- 2.2. Level 2 — There shall be a **separate** level-2 non-compliance for **every one** of the following requirements that is in violation:
  - 2.2.1 Does not have adequate communication facilities internally, or with one or more external entities as specified in R1.
  - 2.2.2 Did not coordinate, investigate, and recommend solutions to telecommunication problems as specified in R3.
- 2.3. Level 3 — Not applicable.
- 2.4. Level 4 — There shall be a **separate** Level 4 non-compliance, for **every one** of the following requirements that is in violation:
  - 2.4.1 Telecommunication systems are not actively monitored, tested, managed or alarmed as specified in R2.
  - 2.4.2 There are no written operating instructions and procedures to enable continued operation of the system during the loss of telecommunication facilities as specified in R5.

5. Do you agree with the approach that CESDT has taken as identified above for the “Levels of Non-Compliance?” If not, please explain why you disagree.

- Yes
- No

Comments: The Level 1 non-compliance appears to be applicable for a very small group of entities which may give rise to the perception of discrimination.

We agree in concept with the approach taken by the CESDT but find using this Section very confusing. Perhaps a Table showing Levels of Non-compliance versus Requirements would better show what an entity will be evaluated against.

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The following questions address your reaction to the drafting team's modifications to COM-001, made following the strategies addressed above.

6. Do you agree with the Measures drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments:

7. Do you agree with the Compliance Monitoring Process drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments: (1) While this may be applicable for US jurisdictional entities, the Compliance monitoring process must also adhere to the Compliance framework(s) that will be established for Canadian Entities. Would suggest inclusion of "... as established by delegation agreements with the ERO or by the MOU with governmental authorities in Canada and Mexico as applicable..."

(2) No Criteria is defined for a triggered an investigation. Investigations are usually reserved for standards that have actions associated it and can only be measured if the event happens. Triggered Investigations need to have specific events that initiate the investigation. This standard does not have any such events and should only be evaluated using other appropriate monitoring methods.

8. Do you agree with the Levels of Non-compliance drafted for COM-001? If you disagree, please identify which item you disagree with and explain why you disagree.

Yes

No

Comments: Agree in general with levels for R1 through R5 (See response to Q5 on Level 1 non-compliance) but not R6. In order to be a user of the NERCnet system the entity must complete and submit a User Application Form to NERC. By so doing it has incorporated the Policy and therefore Level 2 can never be violated. Levels 3 and 4 are not measurable.

There is also a question with regards to relative importance.

Requirement 2.2.1 is the requirement to have the physical facilities. According to the Non-Compliance element proposal - not having a facility is deemed Level 2 non-compliance. Similarly with Non-Compliance element 2.2.2 - it assesses a system at Level 2 for not having a plan to handle the fact that they don't have one of the needed communications facilities. This too should be easy to comply with, but if a system does not comply it would seem that there is a more significant risk to reliability then not having some documentation.

Non-Compliance element 2.4.1 requires that the facility be monitored. If a facility is not monitored that is deemed Level 4 non-compliance. Following this logic, it is better to have no facility at all, which is Level 2, than it is to have one and not monitor it.

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Similarly with Non-Compliance element 2.4.2 which requires "written operating instructions". Not having instructions written down is Level 4 non-compliance - this seems to ignore a system may be following it rules exactly, but does not have the required documentation available. Which is better/worse, operationally following a set of plans but not having the documentation? or ignoring a set of plans but having the documentation? or is it not having the documentation but doing the right actions? We would suggest that a more appropriate order (based on relative importance) would be as follows:

Violations of R1 = Level 4

Violations of R2 = Level 3

Violations of R3 = Level 2

Violations of R4 = Level 1

Violations of R5 = Level 4

Violations of R6 = Level 1 / Level 2

9. If you have additional comments on the approach developed by the CESDT in completing the measures and compliance elements of the 22 Version 0 Standards or specific comments on COM-001 that you haven't already mentioned above, please provide it here and be as specific as possible.

Comments: On the standard itself, please note the missing word "FOR" in R1 of Section B. It should read "facilities FOR the exchange"