

SERC Compliance Monitoring and Enforcement Program

Implementation Procedure 6.0 Mitigation of Violations of Reliability Standards



SERC CMEP Implementation Procedure 6.0: Mitigation Plans

Revision History

Revision	Date	Originator	Comments
0	May 31, 2007	T. Galloway	Document Origination.
1	December 20, 2007	J. Wolfmeyer	Edited process steps to align with filed version of CMEP, updated appendices, and changed documentation references to reflect current practices.
2	March 17, 2008	J. Wolfmeyer	Changed SERC "approval" to "acceptance, added steps for NERC "approval" , added references to portal-based forms, changes to process for requesting extensions, made changes required by FERC order, modified Appendix D and added Appendix E , incorporated industry comments.
3	November 20, 2008	J. Wolfmeyer	Added the requirement to submit mitigation plan for issues under settlement. Referred to the documentation of the review of evidence of mitigation plan completion, and included a statement that the mitigation plan and documentation of its completion would become part of the public record of the violation. Added statement reflective of statement added to CMEP 6.5 regarding penalties if NERC rejects mitigation plan.

Responsible SERC Group(s)

SERC Compliance Director
SERC Compliance Enforcement Manager
SERC Board Compliance Committee (BCC)
SERC Compliance Staff

Review and Re-Approval Requirements

This document will be reviewed every two years or as appropriate for possible revision. The existing or revised document will be re-approved by the SERC Board Compliance Committee (BCC), distributed by the Compliance Director to all applicable SERC staff, and posted on the website for member reference.

List of Appendices

BCC Approved: November 20, 2008

SERC CMEP Implementation Procedure 6.0: Mitigation Plans

Appendix A: SAMPLE Mitigation Plan Submittal Form

Appendix B: SAMPLE Mitigation Plan Closure Certification

Appendix C: SAMPLE Mitigation Plan Review and Acceptance Form

Appendix D: SAMPLE Notification of Receipt of Mitigation Plan

Appendix E: SAMPLE Notification of SERC Acceptance of Mitigation Plan

NOTE: Sample forms and letters included as appendices to this procedure are examples only. Content and formatting of these documents may change, without notice, in adherence with changes in NERC and SERC policies and procedures.

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1.0 Purpose

This procedure augments the SERC Compliance Monitoring and Enforcement Plan (CMEP) Section 6.0 regarding mitigation plans. The procedure provides criteria for when initial and updated mitigation plans are required along with required content.

2.0 Responsibilities

The Compliance Director will safeguard information as required to preserve all data associated with violations of reliability standards and to track the mitigation of any violation to satisfactory disposition.

The Compliance Enforcement staff develops and maintains mechanisms for the:

- Submittal of original mitigation plans,
- Revisions to mitigation plans,
- Required approvals,
- Periodic progress reports, and
- Documentation of mitigation plan completion.

The Registered Entity shall submit and implement a Mitigation Plan to correct the violation and underlying causes within 30 days of receipt of a Notice of Alleged violation, if the Registered Entity does not contest the violation and penalty or sanction. If the Registered Entity disputes the Notice of Alleged Violation or penalty or sanction, the Registered Entity shall submit its Mitigation Plan within ten (10) business days following issuance of the written decision of the hearing body, unless the Registered Entity elects to appeal the hearing body's determination to NERC. The Registered Entity may choose to submit a Mitigation Plan while it contests an Alleged Violation or penalty or sanction; such submission shall not be deemed an admission of a violation or the appropriateness of a penalty or sanction.

3.0 References

SERC CMEP Section 6.0

4.0 Mitigation Plan Processes

4.1 When to file a Mitigation Plan with SERC

A registered entity found to be in violation of a reliability standard shall file a mitigation plan with SERC Reliability Corporation. The mitigation plan shall be submitted in one or more ways:

- Mailed in a hardcopy document
- Attached to an e-mail directed to the SERC Compliance Director.

All mitigation plans shall be submitted using the form provided on the SERC website (www.serc1.org) until such time as that form is moved to the SERC

portal. (See section 4.3). A sample SERC mitigation plan submission form is attached as Appendix A.

A mitigation plan may be filed at any time after an alleged violation has been discovered and/or reported to SERC. Confirmation of the violation does not have to be received by the registered entity before a mitigation plan may be submitted, nor does the entity waive the right to contest the notice of violation after it has been received. SERC will require the submission of a mitigation plan for any issues for which settlement agreement negotiations are requested by the Entity.

Mitigation plans shall be filed in each of the following circumstances:

- To correct a violation, or
- To describe how the violation has already been mitigated

4.2 Contents of Mitigation Plans

The registered entity filing a mitigation plan on the SERC portal will be required to supply the following information:

- The registered entity's point of contact for the mitigation plan, who shall be a person who is:
 - Responsible for filing the mitigation plan,
 - Technically knowledgeable regarding the mitigation plan, and
 - Authorized and competent to respond to questions regarding the status of the mitigation plan.
- The description of the alleged or confirmed violation of the reliability standard that the mitigation plan will correct. The description should include the specific version and requirements of the standard that was found to be violated.
- The cause of the alleged or confirmed violation(s). This is a description of how the mitigation plan will address the root cause of the violation; it should be detailed enough that someone unfamiliar with the violation would be able to understand the cause of the violation.
- The registered entity's action plan to correct the alleged or confirmed violation(s). This description should detail the steps of the mitigation plan including major milestones. It should include a specific completion date by which the mitigation plan will be fully implemented and the alleged or confirmed violation(s) corrected. For mitigation plans with expected completion dates greater than (3) months from the date of submission, the implementation *milestones* shall be no more than three (3) months apart.
- The anticipated impact of the mitigation plan on bulk power system reliability and, any action plan to mitigate potential increased risk to the reliability of the bulk power-system while the mitigation plan is being implemented.
- The registered entity's action plan to prevent recurrence of the alleged or confirmed violation(s). Correcting the current violation is important, but prevention of a recurrence is equally important. This description should include details of a scope similar to the action plan.
- Any other information deemed necessary or appropriate.

- Indication of whether the mitigation plan submitted addresses the violation of other registered entities or if the mitigation plan of another registered entity is applicable to the filing entity.

4.3 Submission of Mitigation Plans

A mitigation plan may be submitted at any time, but shall be submitted, as described, within thirty (30) days of being served the notice of alleged violation and penalty or sanction, unless the registered entity chooses to contest the violation and penalty or sanction. If the entity contests the notice of alleged violation and penalty, refer to CMEP Section 6.4 for additional information regarding submission of mitigation plans.

The Mitigation Plan shall be signed by an individual with the appropriate authority, based on the general principles of agency of the Registered Entity, which if applicable, shall be the authorized person that signed the Self-Certification or Self Reporting submittals.

The required form for submitting mitigation plans is available on the SERC website. The form may be submitted via email or hardcopy. However, the mitigation plan form should be submitted via the SERC Portal (when available). If the form is submitted by email or hardcopy, it should be converted to a text-searchable Adobe PDF file before submission to SERC

Note: The Mitigation Plan will become part of the public record to be included in the Notice of Penalty filing to be submitted to the Federal Energy Regulatory Commission (Commission) upon determination that a confirmed violation has occurred or in the event a settlement agreement is reached between the Registered Entity and the Regional Entity. The entire document will be submitted as part of the public record, unless the Registered Entity marks specific information as confidential Critical Energy Infrastructure Information or Privileged Information in accordance with the NERC Rules of Procedure Section 1500 and the Commission's regulations, rules and orders. The Registered Entity must provide adequate justification supporting designation of information that is submitted to the Commission as Confidential Information. Until such time as this document is submitted to the Commission, it will remain confidential within NERC and the Regional Entity compliance organization pursuant to Section 1500 of the Rules of Procedure.

4.4 Review and Acceptance or Rejection of Proposed Mitigation Plans

- SERC will consider the timely submission for approval of a mitigation plan as an effort in good faith to correct a violation. Additional penalties for violations to standards related to a violation for which a mitigation plan has been submitted will typically be held in abeyance during the mitigation plan approval process.
- The SERC single-point-of contact (SPOC) for the compliance issue will:

- Acknowledge receipt of the mitigation plan using email text similar to the sample included in this procedure as Appendix D.

NOTE: The registered entity must be notified of the staff and BCC determinations within 30 days of mitigation plan receipt. Otherwise, the mitigation plan will be deemed accepted. If the approval cycle through the BCC is anticipated to take more than 30 days then, SERC staff may elect to extend the approval period by notifying the submitting registered entity in writing prior to the expiration of the approval period

- Create a PDF file of the submittal and place it in the appropriate tracking folder.
- Enter any data required into the database
- Perform review and acceptance of the mitigation plan using a Mitigation Plan Review and Approval Form similar to the sample provided in Appendix C.
 - In the event that the submitted mitigation plan is determined to be unacceptable, the SPOC will begin a dialogue with the registered entity and request the entity to edit and resubmit the plan. If the mitigation plan was submitted via the portal, the SPOC will contact the SERCComply and request them to unlock the form to allow editing by the entity. The mitigation plan will require a re-submittal to SERC including the authorized signature.
- The SPOC completes Appendix C, coordinates a peer review of the mitigation plan, and issues it to the Compliance Enforcement Manager (CEM).
- Following peer review, the CEM will initially accept the mitigation plan or, endorse required changes needed to allow for approval, and forward to the Compliance Director.
- The Compliance Director (CD) reviews and accepts the mitigation plan or remands it back to staff for additional work. If the CD accepts the plan, it will be scheduled for BCC acceptance at the earliest opportunity.
- The BCC reviews and either accepts the mitigation plan or directs required changes. Any changes required by the BCC are communicated promptly to the registered entity by the designated SPOC. The entity will either resubmit the mitigation plan as described above, or submit a revised mitigation plan as described in Section 4.6.
- If the mitigation plan is accepted by the BCC, the designated SPOC communicates final regional acceptance of the plan to the registered entity using a format similar to the sample shown in Appendix E.
- The CEM communicates approval status to NERC and forwards a copy of the accepted plan via the linear reporting process.
- If SERC ultimately rejects a mitigation plan and the required changes cannot be reconciled with the registered entity, the process will proceed with the steps described in the SERC Compliance Enforcement Program, including the potential for issuance of a Remedial Action Directive (RAD) or imposition of added sanctions and penalties.

- If a Mitigation Plan submitted by a Registered Entity is rejected by the Compliance Enforcement Authority or the hearing body in accordance with CMEP Section 6.5, the Registered Entity shall be subject to any findings of violation of the applicable Reliability Standards during the period the Mitigation Plan was under consideration and to imposition of any penalties or sanctions imposed for such violations. However, the Registered Entity shall not be subject to findings of violations of Reliability Standards or to imposition of penalties or sanctions for such violations with respect to the period of time the Mitigation Plan was under consideration by NERC and for a reasonable period following NERC's disapproval of the Mitigation Plan, so long as the Registered Entity promptly submits a modified Mitigation Plan that addresses the concerns identified by NERC.

4.5 Accepted Mitigation Plans In Progress

The registered entity shall provide updates at least quarterly to SERC on the progress of the mitigation plan. SERC will track the mitigation plan to completion and may conduct on-site visits and use status reviews during audits to monitor mitigation plan implementation.

SERC will provide to NERC quarterly status reports and such other information as NERC requests, and will notify NERC when each mitigation plan is verified to have been completed.

4.6 Requests for Extensions or Changes in Scope

- At SERC's discretion, the milestones and completion deadline of an accepted mitigation plan may be extended, or the scope may be changed for good cause.
- A request for changes to the completion date or other modification of an accepted mitigation plan must be received by SERC at least five (5) business days before the original completion date.
- A proposed revision of an accepted mitigation plan may be submitted in the form of a new mitigation plan or as a letter that includes a description of the requested extension and the justification for such extension.
 - At such time as the portal-based mitigation plan form becomes available, all requests for extensions of changes in scope will be submitted via the portal systems.
- SERC may accept a request for an extension or modification of a mitigation plan if SERC determines the request is justified. Both the superseded and acceptably altered mitigation plan will be maintained on record.

NOTE: The Compliance Director is authorized by the BCC to grant mitigation plan extensions of up to 60 days without prior BCC concurrence. The CD will consider the scope of the issue, evidence in support of extension, and timing relative to system conditions.

4.7 Mitigation Plan Completion and Closure

- The mitigation plan shall be completed in time to have a reasonable potential to correct all of the violation(s) prior to the next applicable compliance reporting/assessment period after occurrence of the violation for which the mitigation plan is submitted. In all cases the mitigation plan should be completed without delay. SERC will expect full compliance with the Reliability Standard to which the mitigation plan is applicable upon completion of the mitigation plan. SERC will audit the mitigated standard during the next audit or spot check of the Registered Entity.
- Upon completion of the mitigation plan, the registered entity shall provide to SERC a Mitigation Plan Completion Certification Form certifying that all required actions described in the mitigation plan have been completed and that the Registered Entity is compliant with the standard. The Certification shall be signed by an individual with the appropriate authority, based on the general principles of agency of the Registered Entity, which if applicable, shall be the authorized person that signed the Self-Certification or Self Reporting submittals. A sample of the form used to submit this certification is shown in Appendix B.
 - Such notification shall be made by completion of the appropriate form on the SERC portal (when available) or email followed by hardcopy, or by registered or certified mail.
 - The notification shall list the violation which has been mitigated and the date of completion.
 - Contact information for the signatory is required.
- Submissions of a completion certification shall include data, information, or other evidence sufficient for SERC to verify completion. This data or information will be reviewed by the SPOC to ensure it is adequate before recording closure of the mitigation plan.
 - The SPOC will record the date the data was received as well as the date that the information was determined to be sufficient to consider the issue closed.
- Upon completion of the accepted mitigation plan in accordance with Section 4.7, SERC will notify the Registered Entity that any findings of violations of the applicable Reliability Standard during the period that the accepted Mitigation Plan was being implemented have been waived and no penalties or sanctions will apply.
- Failure of the entity to supply sufficient evidence may constitute failure to meet the accepted mitigation plan closure date and further compliance enforcement action may be taken.
- SERC staff will review the evidence of mitigation plan completion to ensure that compliance is restored. The review will be documented on **Statement of SERC Reliability Corporation Compliance Staff Regarding Completion of Mitigation Plan** (See Appendix F).
- The Mitigation Plan and the Statement of SERC Staff described above will be filed with NERC and FERC and become part of the public record of the violation.

4.8 Recordkeeping

SERC will maintain a record containing the below listed information for each mitigation plan. All data associated with the mitigation plan will be filed according to the alleged violation (compliance tracking number) the plan is intended to mitigate. Mitigation plan data will include, at a minimum:

- Name of registered entity,
- Date of the alleged violation,
- Monitoring method by which the alleged violation was detected, i.e., Self-Certification, self-reported, audit, investigation, complaint, etc,
- Date of notification of alleged violation and sanction,
- Original, SERC-approved, and any subsequent submissions of a mitigation plan,
- Record of progress toward milestones and completion of the mitigation plan,
- Expected and actual completion date of the mitigation plan,
- Expected and actual completion date for each required milestone action,
- Accepted changes to milestones, completion dates, or scope of mitigation plan,
- Dates NERC was notified.

SERC will provide quarterly progress reports to NERC, as requested by NERC, and will notify NERC within (5) five business days of the acceptance of a mitigation plan or any approved changes to a mitigation plan.

Appendix A: Sample Mitigation Plan Submittal Form

Mitigation Plan Submittal Form

Date this Mitigation Plan is being submitted:

If this Mitigation Plan has already been completed:

- Check this box and
- Provide the Date of Completion of the Mitigation Plan:

Section A: Compliance Notices¹

- Section 6.2 of the CMEP² sets forth the information that must be included in a Mitigation Plan. The Mitigation Plan must include:
 - (1) The Registered Entity's point of contact for the Mitigation Plan, who shall be a person (i) responsible for filing the Mitigation Plan, (ii) technically knowledgeable regarding the Mitigation Plan, and (iii) authorized and competent to respond to questions regarding the status of the Mitigation Plan. This person may be the Registered Entity's point of contact described in Section 2.0.
 - (2) The Alleged or Confirmed Violation(s) of Reliability Standard(s) the Mitigation Plan will correct.
 - (3) The cause of the Alleged or Confirmed Violation(s).
 - (4) The Registered Entity's action plan to correct the Alleged or Confirmed Violation(s).
 - (5) The Registered Entity's action plan to prevent recurrence of the Alleged or Confirmed violation(s).

¹ This document will become part of the public record to be included in the Notice of Penalty filing to be submitted to the Federal Energy Regulatory Commission (Commission) upon determination that a confirmed violation has occurred or in the event a settlement agreement is reached between the Registered Entity and the Regional Entity. The entire document will be submitted as part of the public record, unless the Registered Entity marks specific information as confidential Critical Energy Infrastructure Information or Privileged Information in accordance with the NERC Rules of Procedure Section 1500 and the Commission's regulations, rules and orders. The Registered Entity must provide adequate justification supporting designation of information that is submitted to the Commission as Confidential Information. Until such time as this document is submitted to the Commission, it will remain confidential within NERC and the Regional Entity compliance organization pursuant to Section 1500 of the Rules of Procedure.

² "Uniform Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation;" a copy of the current version approved by the Federal Energy Regulatory Commission is posted on NERC's website.



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- (6) The anticipated impact of the Mitigation Plan on the bulk power system reliability and an action plan to mitigate any increased risk to the reliability of the bulk power-system while the Mitigation Plan is being implemented.
 - (7) A timetable for completion of the Mitigation Plan including the completion date by which the Mitigation Plan will be fully implemented and the Alleged or Confirmed Violation(s) corrected.
 - (8) Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined for not completing work associated with accepted milestones.
 - (9) Any other information deemed necessary or appropriate.
 - (10) The Mitigation Plan shall be signed by an officer, employee, attorney or other authorized representative of the Registered Entity, which if applicable, shall be the person that signed the Self-Certification or Self Reporting submittals.
- This submittal form shall be used to provide a required Mitigation Plan for review and approval by SERC and NERC.
 - The Mitigation Plan shall be submitted to SERC and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.
 - This Mitigation Plan form may be used to address one or more related violations of one Reliability Standard. A separate mitigation plan is required to address violations with respect to each additional Reliability Standard, as applicable.
 - If the Mitigation Plan is approved by SERC and NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission in accordance with applicable Commission rules, regulations and orders.
 - SERC or NERC may reject Mitigation Plans that they determine to be incomplete or inadequate.
 - Remedial action directives also may be issued as necessary to ensure reliability of the bulk power system.

Section B: Registered Entity Information

B.1 Identify your organization:

Company Name:

Company Address:

NERC Compliance Registry ID *[if known]*:

B.2 Identify the individual in your organization who will serve as the Contact to SERC regarding this Mitigation Plan. This person shall be technically



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knowledgeable regarding this Mitigation Plan and authorized to respond to
SERC regarding this Mitigation Plan.

Name:

Title:

Email:

Phone:



Section C: Identity of Reliability Standard Violations Associated with this Mitigation Plan

This Mitigation Plan is associated with the following violation(s) of the reliability standard listed below:

C.1 Standard:
[Identify by Standard Acronym (e.g. FAC-001-1)]

C.2 Requirement(s) violated and violation dates:
[Enter information in the following Table]

NERC Violation ID # [if known]	SERC Violation ID # [if known]	Requirement Violated (e.g. R3.2)	Violation Date ^(*)
SERCYYYYnnnnn	YYYY-nnn	Rn.n.n	MM/DD/YYYY

(*) Note: The Violation Date shall be: (i) the date that the

violation occurred; (ii) the date that the violation was self-reported; or (iii) the date that the violation has been deemed to have occurred on by SERC. Questions regarding the date to use should be directed to SERC.

C.3 Identify the cause of the violation(s) identified above:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

C.4 **[Optional]** Provide any relevant additional information regarding the violations associated with this Mitigation Plan:



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[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Terry Blackwell
SERC Chairman
South Carolina Public Service Authority

R. Scott Henry
SERC Vice-Chairman
Duke Energy Carolinas

Mike Smith
SERC Secretary Treasurer
Georgia Transmission Corporation



Section D: Details of Proposed Mitigation Plan

Mitigation Plan Contents

D.1 Identify and describe the action plan, including specific tasks and actions that your organization is proposing to undertake, or which it undertook if this Mitigation Plan has been completed, to correct the violations identified above in Part C.2 of this form:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Check this box and proceed to Section E of this form if this Mitigation Plan, as set forth in Part D.1, has already been completed; otherwise respond to Part D.2, D.3 and, optionally, Part D.4, below.

Mitigation Plan Timeline and Milestones

D.2 Provide the timetable for completion of the Mitigation Plan, including the completion date by which the Mitigation Plan will be fully implemented and the violations associated with this Mitigation Plan are corrected:

D.3 Enter Milestone Activities, with completion dates, that your organization is proposing for this Mitigation Plan:

Milestone Activity	Proposed Completion Date* (shall not be more than 3 months apart)

(*) Note: Implementation milestones no more than three (3) months apart for Mitigation Plans with expected completion dates more than three (3) months from the date of submission. Additional violations could be determined for not completing work associated with accepted milestones.

[Note: Provide your response here; additional detailed information may be provided as an attachment as necessary]



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Additional Relevant Information (Optional)

D.4 If you have any relevant additional information that you wish to include regarding the mitigation plan, milestones, milestones dates and completion date proposed above you may include it here:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Section E: Interim and Future Reliability Risk

Check this box and proceed and respond to Part E.2 and E.3, below, if this Mitigation Plan, as set forth in Part D.1, has already been completed.

Abatement of Interim BPS Reliability Risk

E.1 While your organization is implementing the Mitigation Plan proposed in Part D of this form, the reliability of the Bulk Power System may remain at higher risk or be otherwise negatively impacted until the plan is successfully completed. To the extent they are, or may be, known or anticipated: (i) identify any such risks or impacts; and (ii) discuss any actions that your organization is planning to take or is proposing as part of the Mitigation Plan to mitigate any increased risk to the reliability of the bulk power system while the Mitigation Plan is being implemented:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Prevention of Future BPS Reliability Risk

E.2 Describe how successful completion of the Mitigation Plan as laid out in Part D of this form will prevent or minimize the probability that your organization incurs further violations of the same or similar reliability standards requirements in the future:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]



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E.3 Your organization may be taking or planning other action, beyond that listed in the Mitigation Plan, as proposed in Part D.1, to prevent or minimize the probability of incurring further violations of the same or similar standards requirements listed in Part C.2, or of other reliability standards. If so, identify and describe any such action, including milestones and completion dates:

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

[Continued on Next Page](#)



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Section F: Authorization

An authorized individual must sign and date this Mitigation Plan Submittal Form. By doing so, this individual, on behalf of your organization:

- a) Submits the Mitigation Plan, as laid out in Section D of this form, to SERC for acceptance by SERC and approval by NERC, and
- b) If applicable, certifies that the Mitigation Plan, as laid out in Section D of this form, was completed (i) as laid out in Section D of this form and (ii) on or before the date provided as the 'Date of Completion of the Mitigation Plan' on this form, and
- c) Acknowledges:
 1. I am [Enter Title] of [Enter Company Name].
 2. I am qualified to sign this Mitigation Plan on behalf of [Enter Company Name].
 3. I have read and understand [Enter Company Name] obligations to comply with Mitigation Plan requirements and ERO remedial action directives as well as ERO documents, including, but not limited to, the NERC Rules of Procedure, including Appendix 4(C) (Compliance Monitoring and Enforcement Program of the North American Electric Reliability Corporation" (NERC CMEP)).
 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
 5. [Enter Company Name] agrees to be bound by, and comply with, the Mitigation Plan, including the timetable completion date, as approved by SERC and approved by NERC.

Authorized Individual Signature

_____ (Electronic signatures are acceptable; see CMEP)

Name (Print):

Title:

Date:



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Section G: Comments and Additional Information

You may use this area to provide comments or any additional relevant information not previously addressed in this form.

[Provide your response here; additional detailed information may be provided as an attachment as necessary]

Submittal Instructions:

Please convert the completed and signed document to a text-searchable Adobe .pdf document using the following naming convention:

[(MP Entity Name (STD-XXX) MM-DD-YY).pdf]

Email the pdf file to serccomply@serc1.org.

Please direct any questions regarding completion of this form to:

Ken Keels
Manager, Compliance Enforcement
SERC Reliability Corporation
704-357-7372
kkeels@serc1.org



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Appendix B: Sample Mitigation Plan Closure Certification

To Close Out a Completed Mitigation Plan, fill out this form, save and email it to serccomply@serc1.org.

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SERC to verify completion of the Mitigation Plan. SERC may request such additional data or information and conduct follow-up assessments, on-site or other Spot Checking, or Compliance Audits as it deems necessary to verify that all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard. (CMEP Section 6.6)

Certification of a Completed Mitigation Plan

SERC Reliability Corporation Violation Mitigation Plan Closure Form (Form Revised 10-25-07)

Name of Registered Entity submitting certification:

Date of Certification:

Name of Standard and the Requirement(s) of mitigated violation(s):

SERC Tracking Number (contact SERC if not known):

NERC Violation ID Number (if assigned):

Date of completion of the Mitigation Plan:

I certify that the mitigation plan for the above named violation has been completed on the date shown above, and that all information submitted information is complete and correct to the best of my knowledge.

Name:

Title:

Entity:

Email:

Phone:

Terry Blackwell
SERC Chairman
South Carolina Public Service Authority

R. Scott Henry
SERC Vice-Chairman
Duke Energy Carolinas

Mike Smith
SERC Secretary Treasurer
Georgia Transmission Corporation



SERC Reliability Corporation
Executive Signature _____

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Date _____

[NOTE – Closure Form should be signed by same individual that signed Mitigation Plan]

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SERC Chairman
South Carolina Public Service Authority

R. Scott Henry
SERC Vice-Chairman
Duke Energy Carolinas

Mike Smith
SERC Secretary Treasurer
Georgia Transmission Corporation



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Appendix C: Sample Mitigation Plan Review and Approval Form
 (This form has been moved to the tracking database)

CONFIDENTIAL

MITIGATION PLAN REVIEW AND APPROVAL

SERC Tracking Number: _____ NERC Tracking Number: _____
 Name of Entity: _____ Entity NERC Registry ID: _____
 Applicable Entity Functions: _____ Mitigation Plan Revision Date: _____
 Standard Mitigated: _____ Standard Requirement(s) Violated: _____
 Date Alleged Violation Occurred: _____ Violation Risk Factor(s): _____
 Date Reported To/Identified By SERC: _____ Method of Identification: _____
 Date of Notice of Alleged Violation (NoAV): _____
 Initial Approval: _____ Initial Approval Date: _____
 Reviewer Approval: _____ Date: _____
 Compliance Enforcement Manager Approval: _____ Date: _____
 Director of Compliance Approval: _____ Date: _____
 Board Compliance Committee Approval Date: _____ NERC Approval Date: _____

Requirements & Measures Mitigated
Summary of Violation
Summary of Mitigation Plan
Plan Requirements
Mitigation Plan Completeness

Terry Blackwell
 SERC Chairman
 South Carolina Public Service Authority

R. Scott Henry
 SERC Vice-Chairman
 Duke Energy Carolinas

Mike Smith
 SERC Secretary Treasurer
 Georgia Transmission Corporation



SERC Reliability Corporation

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<input type="checkbox"/> Yes <input type="checkbox"/> No	Standard applicable to entity registered functions
<input type="checkbox"/> Yes <input type="checkbox"/> No	Entity contact information provided
<input type="checkbox"/> Yes <input type="checkbox"/> No	Cause of original violation identified
<input type="checkbox"/> Yes <input type="checkbox"/> No	Clear and adequate description and rationale of corrective actions
<input type="checkbox"/> Yes <input type="checkbox"/> No	Plan milestones and completion schedule included
<input type="checkbox"/> Yes <input type="checkbox"/> No	Approved by entity officer (or equivalent)
<input type="checkbox"/> Yes <input type="checkbox"/> No	Self-certification or self-report submitted by same entity officer

Comments:

Mitigation Plan Effectiveness

<input type="checkbox"/> Yes <input type="checkbox"/> No	Corrective actions described by the entity will address the standard/requirements violated
<input type="checkbox"/> Yes <input type="checkbox"/> No	These actions will alleviate the non-compliance or inadequate compliance of the violations associated with the plan

Comments:

Mitigation Plan Timeliness

<input type="checkbox"/> Yes <input type="checkbox"/> No	Dates for key actions and completion date of the plan are reasonable
<input type="checkbox"/> Yes <input type="checkbox"/> No	Dates in the plan, when met, will address the violation(s) associated with the plan with reasonable urgency relative to the risk to BPS reliability arising from these violations

Comments:

Measurability

<input type="checkbox"/> Yes <input type="checkbox"/> No	Plan can adequately be monitored for progress
<input type="checkbox"/> Yes <input type="checkbox"/> No	Entity has provided implementation milestones no more than three (3) months apart for plans with expected completion dates more than three (3) months from date of submission
<input type="checkbox"/> Yes <input type="checkbox"/> No	Milestones provided are meaningful and appropriate relative to the scope and duration of the plan

Comments:

Prevention

<input type="checkbox"/> Yes <input type="checkbox"/> No	Entity's proposed corrective actions, when undertaken, are likely to mitigate the reoccurrence of the same or similar violation in the future
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Comments:

Interim Risk to BPS (When applicable)

<input type="checkbox"/> Yes <input type="checkbox"/> No	Plan anticipates the impact the plan may have on the reliability of the BPS while the mitigation plan is being implemented
<input type="checkbox"/> Yes <input type="checkbox"/> No	Plan includes appropriate additional action/oversight to mitigate increased risk to the reliability of the BPS while the plan is being implemented

Comments:



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Appendix D: Sample Email Text for Notifying Entity that SERC has Received its Mitigation Plan(s)

(Paste into an email to the Entity addressed to the individual that signed the Mitigation Plan, place copy into Tracking Folder, copy Christine for inclusion in Correspondence Tracking. Save file as xx-xxx MP Receipt Notice EntityShortName (date).msg)

Subject: Receipt of Mitigation Plan

NERC Violation Tracking Identification Number(s): Enter NERC Violation Tracking Numbers **[if applicable]**

SERC Issue Tracking Number(s): Enter SERC Issue Tracking Numbers

This email acknowledges the receipt by SERC on DateMPRecvd of EntityFullName's mitigation plan for SERC issue [XX-YYY]. SERC Compliance Enforcement Staff (Staff) will review the plan in a timely manner and will provide you with specific feedback if Staff feels changes are necessary. When the mitigation plan meets our acceptance criteria, it will be sent to the SERC Board Compliance Committee (BCC) for regional acceptance at the next available monthly meeting, before being transmitted to NERC for its approval.

Staff expects that the process for Staff review of a mitigation plan for submittal to the SERC Board Compliance Committee, and the Board Compliance Committee's review and acceptance of a mitigation plan at its regularly schedule meetings, will take more than 30 days. Therefore, in accordance with Section 6.5 of the NERC Uniform Compliance Monitoring and Enforcement Program (CMEP), SERC hereby provides notice that it is extending to 60 days from the date of receipt indicated above, the date by which a submitted mitigation plan may be deemed accepted in the absence of action by SERC on said mitigation plan. SERC Compliance Enforcement Staff will notify you of the BCC's disposition of the plan and any additional changes that may be needed.

While we cannot consider the mitigation plan accepted until a Board Compliance Committee ruling is made, that should not preclude EntityFullName from taking any actions in the interim that it considers necessary to restore reliability and to be compliant with reliability standards.

cc: SERC Tracking Folder
SERC Correspondence Log



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Appendix E: Sample Email Text to Acknowledge SERC BCC Acceptance of Mitigation Plan

Template for Notifying Entity that BCC has Accepted its Mitigation Plan(s)

(Paste into an email to the Entity addressed to the individual that signed the Mitigation Plan, place copy into Tracking Folder, copy Christine for inclusion in Correspondence Tracking. Save file as xx-xxx MP Acceptance Notice EntityShortName (date).msg)

Subject: Regional Entity Acceptance of Mitigation Plan(s)

NERC Violation Tracking Identification Number(s): Enter NERC Violation Tracking Numbers

SERC Issue Tracking Number(s): Enter SERC Issue Tracking Numbers

For each of the issues identified above by their NERC Violation Tracking Number and SERC Issue Tracking Number, EntityFullName's mitigation plan was accepted by SERC on DateMPApproved and has been forwarded to NERC for its review and approval as required by the NERC Uniform Compliance Monitoring and Enforcement Program (CMEP) and the Federal Energy Regulatory Commission's (FERC) order of June 13, 2007 [Docket RR07-13-000].

NERC will be reviewing the Mitigation Plan and, if NERC approves the plan, will notify SERC, who will in turn notify EntityFullName. NERC may be unable to approve a Mitigation Plan for cause; in this case, NERC shall remand the plan back to SERC, complete with its reasons for not approving the plan, for SERC's and EntityFullName's reconsideration and action. NERC's remand may also include suggestions on how to address the issues identified by NERC in its remand. Changes to the remanded mitigation plan are for SERC and EntityFullName to develop and agree upon prior to re-submittal of the plan to NERC.

Once NERC has approved a mitigation plan, NERC is required to submit a copy of the mitigation plan to FERC, as confidential non-public information, within seven (7) business days of NERC's approval.

cc: SERC Tracking Folder
SERC Correspondence Log



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Appendix F: Statement of SERC Reliability Corporation Compliance Staff Regarding Completion of Mitigation Plan

Registered Entity: [EntityName]
SERC Tracking ID: [Regional Reference]
NERC Violation No: [NERCViolationNumber]
NERC Mitigation Plan ID: [NERCMITNumber]
Standard: [StdName]
Requirement(s): [Rqmt Number (manual input)]

Violation Summary:

Include an appropriate condensation of [ConclusionViolationSum]

Mitigation Plan Summary:

[EntityName]'s Mitigation Plan to address the referenced violation was accepted by SERC on [BCC Approve Mit Date] and approved by NERC on [NERCAppearedMitPlnDate] and was submitted as non-public information to FERC on [DateNERCSentMitToFERC] in accordance with FERC orders.

[SummaryofMitPln]

[Be sure to include detail on the actions Entity will take to restore compliance.]

SERC's Monitoring of Registered Entity's Mitigation Plan Progress:

SERC Reliability Corporation Compliance Staff ("SERC Staff") monitors the Registered Entity's progress towards completion of its Mitigation Plans in accordance with Section 6.0 of the uniform Compliance Monitoring and Enforcement Program, ("CMEP").

Pursuant to the CMEP, Registered Entities are required to establish implementation milestones no more than three (3) months apart. SERC Staff solicits quarterly reports from all Registered Entities with open mitigation plans to monitor the progress on completion of milestones. SERC Staff also produces and reviews daily Mitigation Plan status reports highlighting Mitigation Plans that are nearing the scheduled completion date. If the Registered Entity fails to complete its Mitigation Plan according to schedule, appropriate additional enforcement action is initiated to assure compliance is attained.

Insert if applicable:

[In this case, [REGISTERED ENTITY] submitted the Mitigation Plan as complete and no additional monitoring of progress was necessary.]

Mitigation Plan Completion Review Process:

[REGISTERED ENTITY] certified on [DateofMPCertification] that the subject Mitigation Plan was completed on [CertifiedCompletionDate]. A SERC compliance staff member reviewed the evidence submitted in a manner similar to a compliance audit. That action was followed by another compliance staff member's peer review of the initial conclusion.

Evidence Reviewed:

[REGISTERED ENTITY] submitted and SERC Staff reviewed the following evidence in support of its certification that its Mitigation Plan was completed in accordance with its terms: [list and describe the documents and data provided by the registered entity and how the evidence supports the registered entity's completion of its mitigation plan and compliance with the applicable requirement] [for large amounts of data, summarize the information reviewed and cite specific examples].

Conclusion:

On [EnfConcurMitPlnDate] SERC Reliability Corporation Compliance Staff ("SERC Staff") completed its review of the evidence submitted by [EntityName] in support of its Certification of Completion of the subject Mitigation Plan. Based on its review of the evidence submitted, SERC Staff hereby verifies that, in its professional judgment, all required actions in the Mitigation Plan have been completed and the Registered Entity is in compliance with the subject Reliability Standard Requirements.

This Statement, along with the subject Mitigation Plan, may become part of a public record upon final disposition of the possible violation.

Respectfully Submitted,

[SPOC]

[Peer]