

139 FERC ¶ 61,227
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Philip D. Moeller, John R. Norris,
Cheryl A. LaFleur, and Tony T. Clark.

Interpretation of Protection System Reliability Standard Docket No. RM10-5-001

ORDER DENYING REQUEST FOR CLARIFICATION

(Issued June 21, 2012)

1. On February 3, 2012, the Commission issued Order No. 758,¹ approving the North American Electric Reliability Corporation's (NERC) interpretation of mandatory Reliability Standard PRC-005-1 (Transmission and Generation Protection System Maintenance and Testing).² National Rural Electric Cooperative Association (NRECA) filed a motion for clarification of certain statements in Order No. 758 relating to comments NRECA submitted during the proceeding. In this order, the Commission denies NRECA's request for clarification.

I. Background

2. On November 17, 2009, NERC submitted a petition requesting approval of NERC's interpretation of Requirement R1 of Commission-approved Reliability Standard PRC-005-1. On December 16, 2010, the Commission issued a Notice of Proposed Rulemaking (NOPR), which proposed to accept the NERC's interpretation.³ In addition, the NOPR proposed to direct that NERC develop modifications to PRC-005-1 through its Reliability Standards development process to address, *inter alia*, the maintenance and

¹ *Interpretation of Protection System Reliability Standard*, Order No. 758, 77 Fed. Reg. 7526 (February 13, 2012), 138 FERC ¶ 61,094 (2012).

² The purpose of Reliability Standard PRC-005-1 is to "ensure all transmission and generation Protection Systems affecting the reliability of the Bulk Electric System (BES) are maintained and tested."

³ *Interpretation of Protection System Reliability Standard*, Notice of Proposed Rulemaking, FERC Stats. & Regs. ¶ 32,669 (2010).

testing of reclosing relay that affect the reliability of the Bulk-Power System.⁴ Several commenters, including NRECA, submitted comments disagreeing with the NOPR proposal regarding reclosing relays.

3. On February 3, 2012, the Commission issued Order No. 758, which approved NERC's proposed interpretation. In addition, the Commission adopted the NOPR proposal and directed NERC pursuant to section 215(d)(5) of the Federal Power Act to develop a modification to include maintenance and testing of reclosing relays that can affect the reliable operation of the Bulk-Power System.⁵ In discussing the directive, the Commission acknowledged the opposition of NRECA and other commenters to the directive and addressed their comments.⁶ Further, relevant to NRECA's request for clarification, the Commission stated as rationale supporting the directive:

While some commenters argue that reclosing relays do not affect the reliability of the Bulk-Power System, the record supports our concern. ... We also note NRECA's comments that "... some transmission operators do not allow reclosing on the bulk electric system facilities to remove the opportunity of closing in on a permanent fault" and "... by its [automatic reclosing] use a utility understands the potential for further damage that may occur by reclosing." Because the misoperation or miscommunication of reclosing relays can exacerbate fault conditions, we find that reclosing relays that may affect the reliability of the Bulk-Power System should be maintained and tested.⁷

II. Request for Clarification

4. On March 5, 2012, NRECA filed a motion for clarification, requesting that the Commission clarify "certain statements" in Order No. 758 "with respect to the evidence of record supporting the determination that maintenance and testing of reclosing relays be part of Reliability Standard PRC-005."⁸ Specifically, NRECA contends that paragraph 25 of Order No. 758 takes statements made in NRECA's NOPR comments out of context

⁴ *Id.* P 15.

⁵ Order No. 758, 138 FERC ¶ 61,094 at P 27.

⁶ *Id.* PP 17, 22-24.

⁷ *Id.* P 25 (footnotes omitted).

⁸ NRECA Motion at 1.

to support the Commission's determination regarding reclosing relays. According to NRECA, the statements when read in proper context lead to the opposite conclusion and, if uncorrected, misstates NRECA's position.

5. NRECA states that the crux of its NOPR comments was that Reliability Standard PRC-005-1, pertaining to maintenance and testing for protection systems, is not the appropriate place to reflect certain reclosing systems because they are already addressed in other Reliability Standards.⁹ Further, NRECA explains that it argued in its NOPR comments that reclosing relays are not a specific component of a protective system and, while they can be used to restore a system, they "indeed, do not *protect* the system."¹⁰ NRECA claims that paragraph 25 of the Final Rule uses NRECA's statements for a different purpose, to refute claims that reclosing relays do not affect the reliability of the Bulk-Power System. NRECA concludes that, "[a]cknowledging that the Commission has made its determination to include certain reclosing relays in Reliability Standard PRC-005, NRECA believes that the record should be clear that, while the Commission may believe that certain statements regarding reclosing relays support its view, that is not the position that was advocated by NRECA."¹¹

III. Commission Determination

6. We deny NRECA's motion for clarification. We believe that the record in the proceeding is clear that NRECA opposed the proposed directive to include reclosing relays.¹² Likewise, the Final Rule accurately conveyed the thrust of NRECA's position that "[w]hile NRECA notes that reclosing relays operate to restore, not protect a system, NRECA also notes that there are reclosing schemes that directly affect and are required for automatic stability control of the system, but that such schemes are already covered under Special Protection Schemes that are subject to reliability standards."¹³

7. In the Final Rule, we understood that NRECA's comments were in the context of system restoration. Nonetheless, we believed that NRECA's NOPR comments amplified our concern with the misoperation or miscommunication of reclosing relays exacerbating

⁹ *Id.* P 2.

¹⁰ *Id.*

¹¹ *Id.* P 3.

¹² *See* Order No. 758, 138 FERC ¶ 61,094 at P 17 (stating that certain commenters, including NRECA, "opposed the NOPR's [proposed] directive to include reclosing relays").

¹³ *Id.* P 20.

fault conditions. Thus, as noted by NRECA, the Commission in paragraph 25 of the Final Rule relied on certain statements in NRECA's comments that supported the proposition that some reclosing relays affect the reliability of the Bulk-Power System.

8. Accordingly, the Commission denies NRECA's motion for clarification.

The Commission orders:

NRECA's motion for clarification is hereby denied, as discussed in the body of this order.

By the Commission. Commissioner Clark voting present.

(S E A L)

Kimberly D. Bose,
Secretary.