

Federal Energy Regulatory Commission
Washington, DC 20426

MAY 17 2019

Re: Initial Release Letter
FOIA FY19-30

VIA E-MAIL AND REGULAR MAIL

Mr. Michael Mabee

[REDACTED]

[REDACTED]

CivilDefenseBook@gmail.com

Dear Mr. Mabee:

This is a response to your correspondence received on January 16, 2019, in which you requested information pursuant to the Freedom of Information Act (FOIA),¹ and the Federal Energy Regulatory Commission's (Commission) FOIA regulations, 18 C.F.R. § 388.108 (2019).

By letter dated March 20, 2019, I advised NERC that a copy of the public version of the Notice of Penalty (NOP) associated with Docket No. NP10-139-000, along with the name of the URE included on the first page, would be disclosed to you no sooner than five calendar days from the date of my letter. *See* 18 C.F.R. § 388.112(e). The five-day notice period has elapsed and I am now releasing the first page of the public NOP with the associated URE name to you.

Ordinarily, any appeal from a FOIA determination must be filed within 90 days of the date of issuance as provided by FOIA and 18 C.F.R. § 388.110(a)(1) of the Commission's regulations. However, because your request is being processed on a rolling basis, the Commission will hold your appeal rights in abeyance pending a final determination. This will allow you to file a single appeal at the conclusion of our processing of your request.

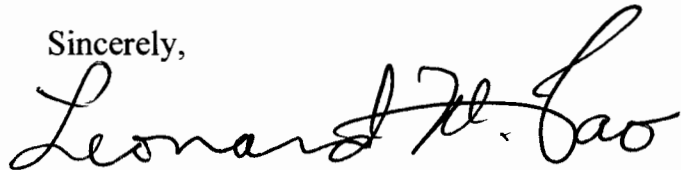
If you decide to appeal, this appeal must be in writing, addressed to James P. Danly, General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, and clearly marked "Freedom of Information Act Appeal." Please include a copy to Charles A. Beamon, Associate General Counsel, General and Administrative Law, at the same address.

You have the right to seek dispute resolution services from the FOIA Public

¹ 5 U.S.C. § 552, *as amended by* the FOIA Improvement Act of 2016, Pub. L. No. 114-185, 130 Stat. 538 (2016).

Liaison of the agency or the Office of Government Information Services (OGIS). Using OGIS services does not affect your right to pursue your appeal. You may contact OGIS by email at ogis@nara.gov; telephone at (877) 684-6448; facsimile at (301) 837-0348; or by mail to the Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001.

Sincerely,

A handwritten signature in black ink that reads "Leonard Tao". The signature is written in a cursive style with a large, sweeping "L" and "T".

Leonard Tao
Director
Office of External Affairs

Cc:

Edwin G. Kichline
Senior Counsel and Director of Enforcement Oversight
North American Electric Reliability Corporation
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edwin.kichline@nerc.net

Sonia Mendonça
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Enclosure: (1)

July 6, 2010

Ms. Kimberly Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**Re: NERC Notice of Penalty,
FERC Docket No. NP10-_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Notice of Penalty¹, which includes one (1) Non-Public Exhibit pertaining to a NERC Registered Entity. The Notice of Penalty set forth in the Non-Public Exhibit contains, in whole or in part, violations of the CIP-002 through CIP-009 Reliability Standards that were resolved by a Settlement Agreement. The Registered Entity stipulated to the facts of the violation and agreed to the penalty. This filing is submitted in accordance with the Federal Energy Regulatory Commission's (Commission or FERC) rules, regulations and orders, as well as NERC Rules of Procedure including Appendix 4C (NERC Compliance Monitoring and Enforcement Program (CMEP)).²

The Non-Public Exhibit identifies the Reliability Standards at issue, the basis for the violation and the impact to reliability, and the ultimate disposition. A summary is set forth below:

NERC Violation ID*	Reliability Std.	Req. (R)	Approved VRF ³	Basis for Violation	Total Penalty (\$)
WECC200901275	CIP-003-1	2	Medium	The Registered Entity failed to finalize a document or procedure assigning a senior manager to lead and manage its implementation of, and adherence to Standards CIP-002 through CIP-009. To demonstrate that it had mitigated the violation, the Registered Entity submitted a signed, formal document and procedure assigning and identifying a senior manager to	3,000

¹ Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards (Order No. 672), III FERC Stats. & Regs. ¶ 31,204 (2006); Notice of New Docket Prefix "NP" for Notices of Penalty Filed by the North American Electric Reliability Corporation, Docket No. RM05-30-000 (February 7, 2008). See also 18 C.F.R. Part 39 (2008). Mandatory Reliability Standards for the Bulk-Power System, FERC Stats. & Regs. ¶ 31,242 (2007) (Order No. 693), *reh'g denied*, 120 FERC ¶ 61,053 (2007) (Order No. 693-A). See 18 C.F.R. § 39.7(c)(2).

² See 18 C.F.R. § 39.7(c)(2).

³ Violation Risk Factors (VRF) are the current FERC approved assignments for the Reliability Standards.