



NORTH AMERICAN ELECTRIC  
RELIABILITY CORPORATION

December 22, 2010

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

**Re: NERC Abbreviated Notice of Penalty regarding Mississippi Delta Energy Agency,  
FERC Docket No. NP11-\_\_-000**

Dear Ms. Bose:

The North American Electric Reliability Corporation (NERC) hereby provides this Abbreviated Notice of Penalty (NOP) regarding Mississippi Delta Energy Agency (MDEA), with information and details regarding the nature and resolution of the violation<sup>1</sup> discussed in detail in the Settlement Agreement (Attachment a) and the Disposition Document attached thereto, 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)).<sup>2</sup>

This NOP is being filed with the Commission because Southwest Power Pool Regional Entity (SPP RE) and MDEA have entered into a Settlement Agreement to resolve all outstanding issues arising from SPP RE's determination and findings of the enforceable violations of FAC-001-0 Requirement (R) 1, R2 and R3; FAC-003-1 R1 and R2; FAC-008-1 R1; FAC-009-1 R1; and PRC-005-1 R1 and R2. According to the Settlement Agreement, MDEA neither admits nor denies the violation, but has agreed to the assessed penalty of nine thousand dollars (\$9,000), in addition to other remedies and actions to mitigate the instant violations and facilitate future compliance under the terms and conditions of the Settlement Agreement. Accordingly, the violations identified as NERC Violation Tracking Identification Numbers SPP200900123,

<sup>1</sup> For purposes of this document, each violation at issue is described as a "violation," regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

<sup>2</sup> *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 (2010). *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).

SPP200900124, SPP200900125, SPP200900126, SPP200900127, SPP200900128, SPP200900129, SPP200900130, SPP201000196 are being filed in accordance with the NERC Rules of Procedure and the CMEP.

**Statement of Findings Underlying the Violations**

This NOP incorporates the findings and justifications set forth in the Settlement Agreement executed on December 8, 2010, by and between SPP RE and MDEA. The details of the findings and the basis for the penalty are set forth in the Disposition Documents. This NOP filing contains the basis for approval of the Settlement Agreement by the NERC Board of Trustees Compliance Committee (NERC BOTCC). In accordance with Section 39.7 of the Commission’s regulations, 18 C.F.R. § 39.7, NERC provides the following summary table identifying each violation of a Reliability Standard resolved by the Settlement Agreement, as discussed in greater detail below.

| NOC ID  | NERC Violation ID | Reliability Std. | Req. (R) | VRF                 | Duration         | Total Penalty (\$) |
|---------|-------------------|------------------|----------|---------------------|------------------|--------------------|
| NOC-482 | SPP200900123      | FAC-001-0        | 1        | Medium              | 8/24/07-12/29/09 | 9,000              |
|         | SPP200900124      | FAC-001-0        | 2        | Medium              | 8/24/07-12/29/09 |                    |
|         | SPP200900125      | FAC-001-0        | 3        | Medium              | 8/24/07-12/29/09 |                    |
|         | SPP200900126      | FAC-003-1        | 1        | High                | 8/24/07-12/16/09 |                    |
|         | SPP200900127      | FAC-003-1        | 2        | High                | 8/24/07-12/16/09 |                    |
|         | SPP200900128      | FAC-008-1        | 1        | Medium <sup>3</sup> | 8/24/07-7/1/10   |                    |
|         | SPP200900129      | FAC-009-1        | 1        | Medium              | 8/24/07-4/30/10  |                    |
|         | SPP200900130      | PRC-005-1        | 1        | High                | 8/24/07-12/29/09 |                    |
|         | SPP201000196      | PRC-005-1        | 2        | High <sup>4</sup>   | 8/24/07-4/30/10  |                    |

The text of the Reliability Standards at issue and further information on the subject violations are set forth in the Disposition Documents.

<sup>3</sup> FAC-008-1 R1, R1.3 and R1.3.5 each have a “Lower” VRF; R1.1, R1.2, R1.2.1, R1.2.2, R1.3.1-4 each have a “Medium” VRF. When NERC filed VRFs it originally assigned FAC-008-1 R1.1, R1.2, R1.2.1 and R1.2.2 “Lower” VRFs. The Commission approved the VRFs as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRFs and on February 6, 2008, the Commission approved the modified “Medium” VRFs. Therefore, the “Lower” VRFs for FAC-008-1 R1.1, R1.2, R1.2.1 and R1.2.2 were in effect from June 18, 2007 until February 6, 2008 when the “Medium” VRFs became effective.

<sup>4</sup> PRC-005-1 R2 has a “Lower” Violation Risk Factor (VRF); R2.1 and R2.2 each have a “High” VRF. In the context of this case, SPP RE determined that the violation related to both 2.1 and 2.2, and therefore a “High” VRF is appropriate.

FAC-001-0 R1, R2 and R3 - OVERVIEW

On August 14, 2009, MDEA self-reported violations of FAC-001-0 R1, R2 and R3. SPP RE determined that MDEA, as a Transmission Owner, did not document, maintain, or publish facility connection requirements as required by R1. Therefore, MDEA did not have documented facility connection requirements containing the elements specified in R2 and did not maintain or update facility connection requirements as required by R3.

FAC-003-1 R1 and R2 - OVERVIEW

On August 14, 2009, MDEA self-reported violations of FAC-003-1 R1 and R2. SPP RE determined that MDEA, as a Transmission Owner, did not have a documented transmission vegetation management program as required by R1 and did not document an annual plan for vegetation management work as required by R2.

FAC-008-1 R1 and FAC-009-1 R1 - OVERVIEW

On August 14, 2009, MDEA self-reported violations of FAC-008-1 R1 and FAC-009-1 R1. SPP RE determined that MDEA, as a Transmission Owner, did not have a documented Facility Ratings Methodology as required by FAC-008-1 R1 and therefore, did not have Facility Ratings based upon a documented Facility Ratings Methodology as required by FAC-009-1 R1.

PRC-005-1 R1 and R2 - OVERVIEW

On August 14, 2009, MDEA self-reported a violation of PRC-005-1 R1. On January 8, 2010, MDEA self-reported a violation of PRC-005-1 R2. SPP RE determined that MDEA, as a Transmission Owner, did not have a documented transmission Protection System maintenance and testing program as required by R1 and did not have documentation of having tested and maintained certain transmission Protection System devices associated with its transmission line in accordance with its newly documented transmission Protection System maintenance and testing program as required by R2.

**Statement Describing the Assessed Penalty, Sanction or Enforcement Action Imposed<sup>5</sup>**

**Basis for Determination**

Taking into consideration the Commission's direction in Order No. 693, the NERC Sanction Guidelines, the Commission's July 3, 2008, October 26, 2009 and August 27, 2010 Guidance Orders,<sup>6</sup> the NERC BOTCC reviewed the Settlement Agreement and supporting documentation on November 2, 2010. The NERC BOTCC approved the Settlement Agreement, including SPP RE's assessment of a nine thousand dollar (\$9,000) financial penalty against MDEA and other actions to facilitate future compliance required under the terms and conditions of the Settlement Agreement. In approving the Settlement Agreement, the NERC BOTCC reviewed the applicable requirements of the Commission-approved Reliability Standards and the underlying facts and circumstances of the violations at issue.

<sup>5</sup> See 18 C.F.R. § 39.7(d)(4).

<sup>6</sup> *North American Electric Reliability Corporation*, "Guidance Order on Reliability Notices of Penalty," 124 FERC ¶ 61,015 (2008); *North American Electric Reliability Corporation*, "Further Guidance Order on Reliability Notices of Penalty," 129 FERC ¶ 61,069 (2009); *North American Electric Reliability Corporation*, "Notice of No Further Review and Guidance Order," 132 FERC ¶ 61,182 (2010).

In reaching this determination, the NERC BOTCC considered the following factors:

1. the violations constituted MDEA's first occurrence of violation of the subject NERC Reliability Standards;
2. MDEA self-reported the violations;
3. SPP RE reported that MDEA was cooperative throughout the compliance enforcement process;
4. MDEA had a compliance program at the time of the violation which SPP RE considered a neutral factor, as discussed in the Disposition Documents;
5. there was no evidence of any attempt to conceal a violation nor evidence of intent to do so;
6. SPP RE determined that the violations did not pose a serious or substantial risk to the reliability of the bulk power system (BPS), as discussed in the Disposition Documents; and
7. SPP RE reported that there were no other mitigating or aggravating factors or extenuating circumstances that would affect the assessed penalty.

For the foregoing reasons, the NERC BOTCC approves the Settlement Agreement and believes that the assessed penalty of nine thousand dollars (\$9,000) is appropriate for the violations and circumstances at issue, and is consistent with NERC's goal to promote and ensure reliability of the BPS.

Pursuant to 18 C.F.R. § 39.7(e), the penalty will be effective upon expiration of the 30 day period following the filing of this NOP with FERC, or, if FERC decides to review the penalty, upon final determination by FERC.

**Attachments to be included as Part of this Notice of Penalty**

The attachments to be included as part of this NOP are the following documents:

- a) Settlement Agreement by and between SPP RE and MDEA executed December 8, 2010, included as Attachment a;
  1. Disposition Document for Common Information included as Attachment 1 to the Settlement Agreement;
  2. Disposition Document for FAC-001-0 R1, R2 and R3 included as Attachment 1a to the Settlement Agreement;
  3. Disposition Document for FAC-003-1 R1 and R2 included as Attachment 1b to the Settlement Agreement;
  4. Disposition Document for FAC-008-1 R1 and FAC-009-1 R1 included as Attachment 1c to the Settlement Agreement;
  5. Disposition Document for PRC-005-1 R1 and R2 included as Attachment 1d to the Settlement Agreement;
- b) Record documents for FAC-001-0 R1, R2 and R3 included as Attachment b:
  1. MDEA's Self-Report for FAC-001-0 R1, R2 and R3 dated August 14, 2009;
  2. MDEA's Mitigation Plan for FAC-001-0 R1 dated October 27, 2009;
  3. MDEA's Mitigation Plan for FAC-001-0 R2 dated October 27, 2009;
  4. MDEA's Mitigation Plan for FAC-001-0 R3 dated October 27, 2009;
  5. MDEA's Certification of Mitigation Plan Completion for FAC-001-0 R1, R2 and R3 dated December 30, 2009;
  6. SPP RE's Verification of Mitigation Plan Completion for FAC-001-0 R1, R2 and R3 dated January 22, 2010;
- c) Record documents for FAC-003-1 R1 and R2 included as Attachment c:
  1. MDEA's Self-Report for FAC-003-1 R1 and R2 dated August 14, 2009;
  2. MDEA's Mitigation Plan for FAC-003-1 R1 dated October 27, 2009;
  3. MDEA's Mitigation Plan for FAC-003-1 R2 dated October 27, 2009;
  4. MDEA's Certification of Mitigation Plan Completion for FAC-003-1 R1 and R2 dated December 22, 2009;
  5. SPP RE's Verification of Mitigation Plan Completion for FAC-003-1 R1 and R2 dated March 1, 2010;
- d) Record documents for FAC-008-1 R1 and FAC-009-1 R1 included as Attachment d:
  1. MDEA's Self-Report for FAC-008-1 R1 dated August 14, 2009;
  2. MDEA's Self-Report for FAC-009-1 R1 dated August 14, 2009;
  3. MDEA's Mitigation Plan for FAC-008-1 R1 dated October 27, 2009;

4. SPP RE's Notice to Withdraw Mitigation Plan Completion Notice for FAC-008-1 R1 dated June 24, 2010;
  5. MDEA's Mitigation Plan for FAC-009-1 R1 dated October 27, 2009;
  6. MDEA's Certification of Mitigation Plan Completion for FAC-008-1 R1 dated July 1, 2010;
  7. MDEA's Certification of Mitigation Plan Completion for FAC-009-1 R1 dated April 30, 2010;
  8. SPP RE's Verification of Mitigation Plan Completion for FAC-009-1 R1 dated May 19, 2010;
  9. SPP RE's Verification of Mitigation Plan Completion for FAC-008-1 R1 dated July 7, 2010;
- e) Record documents for PRC-005-1 R1 and R2 included as Attachment e:
1. MDEA's Self-Report for PRC-005-1 R1 dated August 14, 2009;
  2. MDEA's Self-Report for PRC-005-1 R2 dated January 8, 2010;
  3. MDEA's Mitigation Plan for PRC-005-1 R1 dated October 27, 2009;
  4. MDEA's Mitigation Plan for PRC-005-1 R2 dated January 26, 2010;
  5. MDEA's Certification of Mitigation Plan Completion for PRC-005-1 R1 dated December 29, 2009;
  6. MDEA's Certification of Mitigation Plan Completion for PRC-005-1 R2 dated April 30, 2010;
  7. SPP RE's Verification of Mitigation Plan Completion for PRC-005-1 R1 dated January 22, 2010 (*see* Attachment b-6);<sup>7</sup> and
  8. SPP RE's Verification of Mitigation Plan Completion for PRC-005-1 R2 dated May 19, 2010 (*see* Attachment d-8).<sup>8</sup>

#### **A Form of Notice Suitable for Publication<sup>9</sup>**

A copy of a notice suitable for publication is included in Attachment f.

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<sup>7</sup> The Verification document for PRC-005-1 R1 (SPP200900130) incorrectly states the violation as FAC-009-1 R1.

<sup>8</sup> The Verification document for PRC-005-1 R2 (SPP201000196) incorrectly refers to the NERC Violation ID as SPP200900196.

<sup>9</sup> *See* 18 C.F.R. § 39.7(d)(6).

## Notices and Communications

Notices and communications with respect to this filing may be addressed to the following:

|   |  |
|---|--|
| <p>Gerald W. Cauley<br/>President and Chief Executive Officer<br/>David N. Cook*<br/>Sr. Vice President and General Counsel<br/>North American Electric Reliability Corporation<br/>116-390 Village Boulevard<br/>Princeton, NJ 08540-5721<br/>(609) 452-8060<br/>(609) 452-9550 – facsimile<br/>david.cook@nerc.net</p> <p>Mr. Marvin Carraway*<br/>Secretary<br/>Mississippi Delta Energy Agency<br/>P.O. Box 660<br/>Yazoo City, MS 39194<br/>1215 Park Center Dr.<br/>Clarksdale, MS 38614<br/>(662) 902-3595<br/>(662) 627-8421 – facsimile<br/>cpuadmin@cableone.net</p> <p>Mr. George Price*<br/>Regulatory Compliance Officer<br/>Mississippi Delta Energy Agency<br/>416 Third Street<br/>Clarksdale, MS 38614<br/>(662) 902-4860<br/>(662) 627-8421 – facsimile<br/>cpumshop@cableone.net</p> <p>Ms. Meg McNaul*<br/>Attorney<br/>Thompson Coburn LLP<br/>1909 K Street NW, Suite 600<br/>Washington, DC 20006<br/>(202) 585-6940<br/>(202) 508-1036 – facsimile<br/>mmcnaul@thompsoncoburn.com</p> | <p>Rebecca J. Michael*<br/>Assistant General Counsel<br/>North American Electric Reliability Corporation<br/>1120 G Street, N.W.<br/>Suite 990<br/>Washington, DC 20005-3801<br/>(202) 393-3998<br/>(202) 393-3955 – facsimile<br/>rebecca.michael@nerc.net</p> <p>Stacy Dochoda*<br/>General Manager<br/>Southwest Power Pool Regional Entity<br/>16101 La Grande, Ste 103<br/>Little Rock, AR 72223<br/>(501) 688-1730<br/>(501) 821-8726 – facsimile<br/>sdochoda@spp.org</p> <p>Joe Gertsch*<br/>Manager of Enforcement<br/>Southwest Power Pool Regional Entity<br/>16101 La Grande, Ste 103<br/>Little Rock, AR 72223<br/>(501) 688-1672<br/>(501) 821-8726 – facsimile<br/>jgertsch@spp.org</p> <p>Machelle Smith*<br/>Paralegal &amp; SPP RE File Clerk<br/>Southwest Power Pool Regional Entity<br/>16101 La Grande, Ste 103<br/>Little Rock, AR 72223<br/>(501) 688-1681<br/>(501) 821-8726 – facsimile<br/>spp_regional_entity_file_clerk@spp.org</p> <p>*Persons to be included on the Commission's service list are indicated with an asterisk. NERC requests waiver of the Commission's rules and regulations to permit the inclusion of more than two people on the service list.</p> |
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## Conclusion

Accordingly, NERC respectfully requests that the Commission accept this Abbreviated NOP as compliant with its rules, regulations and orders.

Respectfully submitted,

Gerald W. Cauley  
President and Chief Executive Officer  
David N. Cook  
Sr. Vice President and General Counsel  
North American Electric Reliability Corporation  
116-390 Village Boulevard  
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/s/ Rebecca J. Michael  
Rebecca J. Michael  
Assistant General Counsel  
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rebecca.michael@nerc.net

cc: Mississippi Delta Energy Agency  
Southwest Power Pool Regional Entity

Attachments



## **Attachment a**

# **Settlement Agreement by and between SPP RE and MDEA executed December 8, 2010**

**SETTLEMENT AGREEMENT**

**OF**

**SOUTHWEST POWER POOL REGIONAL ENTITY**

**AND**

**MISSISSIPPI DELTA ENERGY AGENCY**

**I. INTRODUCTION**

1. Southwest Power Pool Regional Entity (“SPP RE”) and Mississippi Delta Energy Agency (“MDEA”) (each individually a “Party” and, collectively, the “Parties”) enter into this Settlement Agreement (“Settlement Agreement” or “Agreement”) to resolve all outstanding issues arising from a preliminary and non-public assessment resulting in SPP RE’s determination and findings, pursuant to the North American Electric Reliability Corporation (“NERC”) Rules of Procedure, of nine alleged violations by MDEA of the following NERC Reliability Standards (the “Violations”):<sup>1</sup>

| RELIABILITY STANDARD | REQUIREMENT(S) | SUB-REQUIREMENT(S)          | SPP RE Tracking No. | NERC Violation ID   |
|----------------------|----------------|-----------------------------|---------------------|---------------------|
| <b>FAC-001-0</b>     | <b>R1</b>      | <b>R1.1, R1.2, R1.3</b>     | <b>2009-053</b>     | <b>SPP200900123</b> |
| <b>FAC-001-0</b>     | <b>R2</b>      | <b>R2.1, 2.1.1, et seq.</b> | <b>2009-054</b>     | <b>SPP200900124</b> |
| <b>FAC-001-0</b>     | <b>R3</b>      |                             | <b>2009-055</b>     | <b>SPP200900125</b> |
| <b>FAC-003-1</b>     | <b>R1</b>      | <b>R1.1, et seq.</b>        | <b>2009-056</b>     | <b>SPP200900126</b> |
| <b>FAC-003-1</b>     | <b>R2</b>      |                             | <b>2009-057</b>     | <b>SPP200900127</b> |
| <b>FAC-008-1</b>     | <b>R1</b>      |                             | <b>2009-058</b>     | <b>SPP200900128</b> |
| <b>FAC-009-1</b>     | <b>R1</b>      | <b>R2.1, 2.1.1, et seq.</b> | <b>2009-059</b>     | <b>SPP200900129</b> |
| <b>PRC-005-1</b>     | <b>R1</b>      | <b>R1.1, R1.2</b>           | <b>2009-060</b>     | <b>SPP200900130</b> |
| <b>PRC-005-1</b>     | <b>R2</b>      | <b>R2.1, R2.2</b>           | <b>2009-126</b>     | <b>SPP201000196</b> |

2. MDEA neither admits nor denies the violation of the above-referenced NERC Reliability Standards and has agreed to the proposed penalty of \$9,000.00 to be assessed by SPP

<sup>1</sup> For purposes of this document and attachments hereto, each self-reported Violation at issue is described as a “Violation,” regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

RE for the purpose of resolving all outstanding issues relating to the Violations pursuant to the terms and conditions of this Settlement Agreement.

## II. STIPULATION

3. The facts stipulated herein are stipulated solely for the purpose of resolving, as between MDEA and SPP RE, the matters discussed herein and do not constitute stipulations or admissions for any other purpose. The Disposition Document attached hereto as Attachment 1 is incorporated herein in its entirety. MDEA and SPP RE hereby stipulate and agree to the following:

### A. Background

4. See Section I of the Disposition Document for a description of MDEA.

### B. Violations of NERC Reliability Standards

5. See Attachments 1a, 1b, 1c and 1d to the Disposition Document for the descriptions of the Violations.

## III. PARTIES' SEPARATE REPRESENTATIONS

### A. Statement of SPP RE and Summary of Findings

6. As a result of SPP RE's investigation of the Violations, SPP RE has established sufficient facts to reasonably support the MDEA Violations.

7. SPP RE has determined that MDEA has completed a Mitigation Plan for each of these Violations.

8. SPP RE agrees that this Agreement is in the best interest of the Parties and in the best interest of bulk power system reliability.

### B. Statement of MDEA

9. MDEA neither admits nor denies that the facts set forth herein and agreed to by the Parties for purposes of this Agreement constitute violations of the above-referenced Reliability Standards.

10. Although MDEA does not admit to, nor does it deny, the Violations described above, MDEA has agreed to enter into this Settlement Agreement with SPP RE to avoid extended litigation with respect to the matters described or referred to herein, to avoid uncertainty, and to effectuate a complete and final resolution of the issues set forth herein. MDEA agrees that this Agreement is in the best interests of the Parties and in the best interest of maintaining a reliable electric infrastructure.

#### IV. MITIGATING ACTIONS, REMEDIES AND SANCTIONS

11. MDEA and SPP RE agree that MDEA has completed and SPP RE has verified completion of the mitigating actions set forth in Attachments 1a, 1b, 1c and 1d to the Disposition Document. The Mitigating Actions, Remedies and Sanctions are discussed in detail in the Disposition Document and Attachments thereto.

12. SPP RE Staff also considered the specific facts and circumstances of the Violations, including MDEA's actions in mitigation thereof, in determining a penalty satisfying the requirement in Section 215 of the Federal Power Act that "[a]ny penalty imposed under this section shall bear a reasonable relation to the seriousness of the violation and shall take into consideration the efforts of [MDEA] to remedy the violation in a timely manner."<sup>2</sup> The factors considered by SPP RE Staff in the determination of the appropriate penalty are set forth in Section II of the Disposition Document.

13. In settlement of all outstanding issues related to the Violations, the Parties agree that MDEA shall pay a total penalty amount of \$9,000.00 ("Penalty") to SPP RE via wire transfer or cashier's check payable to a SPP RE account that will be outlined in a Notice of Payment sent to MDEA upon approval of this Agreement by the NERC Board of Trustees and by the Federal Energy Regulatory Commission ("FERC" or the "Commission"), either by order or by operation of law. Payment to SPP RE shall be made forty-five (45) days after the receipt of the Notice of Payment. SPP RE shall inform NERC if the payment is not timely received.

14. Failure to make a timely Penalty payment or to comply with any other conditions of this Settlement Agreement shall be deemed to constitute either continuation of the Violations and/or additional violations and may subject MDEA to new or additional enforcement, penalty or sanction actions in accordance with the NERC Rules of Procedure. MDEA shall retain all rights to defend against such renewed or additional enforcement actions in accordance with NERC Rules of Procedure.

15. If MDEA does not make the Penalty payment described above on the date agreed to by the Parties, then interest on the Penalty will begin to accrue at the rate(s) specified in the Commission's regulations at 18 C.F.R. § 35.19(a)(2)(iii) commencing on the date that payment is due. Such interest shall be payable to SPP RE in addition to the Penalty.

#### V. ADDITIONAL TERMS

16. The Parties agree that they enter into the Settlement Agreement voluntarily and that, other than the recitations set forth herein, no tender, offer or promise of any kind by any member, employee, officer, director, agent or representative of MDEA or SPP RE has been made to induce the Parties or any other party to enter into the Settlement.

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<sup>2</sup> 16 U.S.C. § 824o(e)(6).

17. SPP RE shall report the terms of the Settlement Agreement to NERC. NERC will review the Settlement Agreement for the purpose of evaluating its consistency with other settlements entered into for similar violations or involving similar circumstances. Based on this review, NERC will either approve or reject the Settlement Agreement. If NERC rejects the Settlement Agreement, NERC will provide specific written reasons for such rejection and shall notify SPP RE and MDEA of changes to the terms of the Agreement that would result in its approval, and SPP RE will attempt to negotiate a revised settlement agreement with MDEA that shall reflect any changes to the original Settlement Agreement specified by NERC. If a revised settlement cannot be reached, the enforcement process shall continue to conclusion. If NERC approves the Settlement Agreement, NERC will (i) report the approved Settlement Agreement to the Commission for the Commission's review and approval by order or operation of law and (ii) publicly post this Settlement Agreement.

18. This Settlement Agreement shall become effective upon the Commission's approval of the Settlement Agreement by order or operation of law as submitted to it or as modified in a manner acceptable to the Parties.

19. MDEA agrees that this Settlement Agreement, when approved by NERC and the Commission, shall represent a final settlement of all matters set forth herein, and MDEA waives its right to further hearings and appeal of such matters, unless and only to the extent that MDEA contends that any NERC or Commission action on the Settlement Agreement contains one or more material modifications to the Settlement Agreement. SPP RE reserves all rights to initiate enforcement, penalty or sanction actions against MDEA in accordance with the NERC Rules of Procedure in the event that MDEA fails to comply with the terms of this Settlement Agreement. In the event MDEA fails to comply with such terms, SPP RE will initiate enforcement, penalty, or sanction actions against MDEA to the maximum extent allowed by the NERC Rules of Procedure, up to the maximum statutorily allowed penalty. Except as otherwise specified in this Settlement Agreement, MDEA shall retain all rights to defend against such enforcement actions, also according to the NERC Rules of Procedure.

20. MDEA consents to the use of SPP RE's determinations, findings, and conclusions set forth in this Agreement for the purpose of assessing MDEA's history of violations, in accordance with the NERC Sanction Guidelines and applicable Commission orders and policy statements. Such use may be in any enforcement action or compliance proceeding undertaken by NERC and/or any Regional Entity involving the Reliability Standards described herein; provided, however, that MDEA does not consent to the use of the specific acts set forth in this Settlement Agreement as the sole basis for any other action or proceeding brought by NERC and/or SPP RE, nor does MDEA consent to the use of this Settlement Agreement by any other party in any other action or proceeding.

21. Each of the undersigned warrants that he or she is an authorized representative of the Party designated, is authorized to bind such Party and accepts the Settlement Agreement on the Party's behalf.

22. The undersigned representative of each Party affirms that he or she has read the Settlement Agreement, that all of the matters set forth in the Settlement Agreement are true and correct to the best of his or her knowledge, information and belief, and that he or she understands that the Settlement Agreement is entered into by such Party in express reliance on those representations; provided, however, that such affirmation by each Party's representative shall not apply to the other Party's statements of position set forth in Section III of this Settlement Agreement.

23. The Settlement Agreement may be signed in counterparts.

24. This Settlement Agreement is executed in duplicate, each of which so executed shall be deemed to be an original.

Agreed to and accepted:

Stacy Dochoda

Stacy Dochoda  
General Manager  
**Southwest Power Pool Regional Entity**

12-8-2010  
Date

Melville C. Tillis

Melville Tillis  
Chairman of the Board of Commissioners  
**Mississippi Delta Energy Agency**

11/29/10  
Date

## **Disposition Document for Common Information**



**DISPOSITION OF VIOLATIONS<sup>1</sup>**  
**INFORMATION COMMON TO INSTANT VIOLATIONS**

|   |                  |         |
|---|------------------|---------|
| REGISTERED ENTITY                         | NERC REGISTRY ID | NOC#    |
| Mississippi Delta Energy Agency<br>(MDEA) | NCR06050         | NOC-482 |

**I. REGISTRATION INFORMATION**

ENTITY IS REGISTERED FOR THE FOLLOWING FUNCTIONS:

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP      | RSG | TO      | TOP | TP | TSP |
|----|----|----|-----|----|-----|----|-----|----|---------|-----|---------|-----|----|-----|
|    |    |    |     |    |     |    |     |    | x       |     | x       |     |    |     |
|    |    |    |     |    |     |    |     |    | 8/24/07 |     | 8/24/07 |     |    |     |

DESCRIPTION OF THE REGISTERED ENTITY

**MDEA is a joint action agency organized under the laws of the State of Mississippi. MDEA was established by its two members, the City of Clarksdale, Mississippi, Clarksdale Public Utilities Commission (Clarksdale) and the Public Service Commission of Yazoo City, Mississippi (Yazoo City), to facilitate resource procurement activities on behalf of its members.**

**MDEA owns a 23-mile, 230 kV transmission line located in Coahoma County, Mississippi. The transmission line connects the electric system operated by Clarksdale with the transmission system owned and operated by Entergy Services, Inc. (Entergy).**

**MDEA owns certain transmission facilities that are operated and maintained by Clarksdale pursuant to contractual agreements between Clarksdale and MDEA. Consistent with the terms of those agreements, Clarksdale performs compliance-related activities for MDEA that are associated with the operation and maintenance by Clarksdale of MDEA-owned transmission facilities. Notwithstanding this contractual relationship, Clarksdale and MDEA maintain separate Transmission Owner registrations in the NERC Compliance Registry. With respect to the violations described in the attached Settlement Agreement and in that certain Settlement Agreement between SPP and Clarksdale dated as of December 8, 2010 (the Clarksdale Settlement),<sup>2</sup> both the Clarksdale and MDEA violations (which relate to facilities owned by each entity separately) were identified, self-reported,**

<sup>1</sup> For purposes of this document and attachments hereto, each self-reported violation at issue is described as a “violation,” regardless of its procedural posture and whether it was a possible, alleged or confirmed violation.

<sup>2</sup> See section II(1) of this Disposition Document.

**and mitigated within the same time frame by Clarksdale compliance staff responsible for oversight and administration of Clarksdale compliance activities and those of MDEA pursuant to applicable MDEA-Clarksdale contractual arrangements.**

IS THERE A SETTLEMENT AGREEMENT      YES       NO

WITH RESPECT TO THE VIOLATION(S), REGISTERED ENTITY

NEITHER ADMITS NOR DENIES IT (SETTLEMENT ONLY)      YES

ADMITS TO IT      YES

DOES NOT CONTEST IT (INCLUDING WITHIN 30 DAYS)      YES

WITH RESPECT TO THE ASSESSED PENALTY OR SANCTION, REGISTERED ENTITY

ACCEPTS IT/ DOES NOT CONTEST IT      YES

**II. PENALTY INFORMATION**

TOTAL ASSESSED PENALTY OR SANCTION OF **\$9,000** FOR **NINE** VIOLATIONS OF RELIABILITY STANDARDS.

(1) REGISTERED ENTITY'S COMPLIANCE HISTORY

PREVIOUSLY FILED VIOLATIONS OF ANY OF THE INSTANT RELIABILITY STANDARD(S) OR REQUIREMENT(S) THEREUNDER

YES       NO

LIST VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

**Concurrently being filed is the Clarksdale Settlement for Clarksdale's violations of FAC-008-1 R1, FAC-009-1 R1 and PRC-005-1 R1 and R2. Since Clarksdale was under contract to maintain and operate MDEA's transmission facilities, these violations appear to be related to the violations at issue in this case.**

**Although Clarksdale and MDEA are not legally affiliated, they identified and self-reported the violations at the same time, demonstrating a good culture of compliance. Therefore, SPP RE did not consider the Clarksdale violations an aggravating factor in determining the penalty.**

PREVIOUSLY FILED VIOLATIONS OF OTHER RELIABILITY STANDARD(S) OR REQUIREMENTS THEREUNDER

YES  NO

LIST VIOLATIONS AND STATUS

ADDITIONAL COMMENTS

**Concurrently being filed is the Clarksdale Settlement for Clarksdale's violations of CIP-001-1 R1, R2, R3 and R4, EOP-004-0 R3, PRC-008-0 R1 and VAR-002-1.1a R1.**

**On November 30, 2010, NERC filed a Notice of Penalty regarding violations of PRC-008-0 R1 and R2 for Public Service Commission of Yazoo City.**

**SPP RE did not consider the Public Service Commission of Yazoo City violations an aggravating factor in determining the penalty.**

(2) THE DEGREE AND QUALITY OF COOPERATION BY THE REGISTERED ENTITY (IF THE RESPONSE TO FULL COOPERATION IS "NO," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

FULL COOPERATION YES  NO   
IF NO, EXPLAIN

(3) THE PRESENCE AND QUALITY OF THE REGISTERED ENTITY'S COMPLIANCE PROGRAM

IS THERE A DOCUMENTED COMPLIANCE PROGRAM  
YES  NO   
EXPLAIN

**At the time of the violations, Clarksdale and MDEA were in the process of developing a written internal compliance program to be administered by Clarksdale which SPP RE considered a neutral factor in determining the penalty. MDEA now has a compliance program in place that provides for performance of an annual internal compliance review to verify MDEA's compliance status as to applicable Reliability Standards, designation of a full-time Regulatory Compliance Officer to oversee MDEA's compliance with the Reliability Standards, development of policies, procedures, and guidelines intended to ensure ongoing organizational awareness of**

**operational activities governed by Reliability Standards, engagement of an outside consulting firm to assist (as needed) with MDEA's compliance efforts, and regular briefings of the MDEA Board of Commissioners regarding compliance activities.**

**MDEA's compliance program states:**

**The MDEA compliance program will emphasize on-the-job training with respect to Reliability Standards compliance. Personnel who are responsible for substantive compliance with the Reliability Standards are provided with copies of policies, procedures, and/or guidelines supporting their activities.**

**MDEA will perform internal compliance reviews on an annual basis. Pursuant to the internal compliance review that has taken place, MDEA has implemented practices to ensure that incidents of non-compliance are (i) self-reported, (ii) internally tracked and reviewed, and (iii) mitigated within a timely manner.**

**In the event that MDEA becomes aware of an actual or potential compliance violation through internal compliance monitoring processes or via other means, MDEA is committed to ensuring that such violation is promptly self-reported to SPP.**

EXPLAIN SENIOR MANAGEMENT'S ROLE AND INVOLVEMENT WITH RESPECT TO THE REGISTERED ENTITY'S COMPLIANCE PROGRAM, INCLUDING WHETHER SENIOR MANAGEMENT TAKES ACTIONS THAT SUPPORT THE COMPLIANCE PROGRAM, SUCH AS TRAINING, COMPLIANCE AS A FACTOR IN EMPLOYEE EVALUATIONS, OR OTHERWISE.

EXPLAIN

**The MDEA Board of Commissioners is updated on compliance matters on a routine basis, no less than quarterly.**

(4) ANY ATTEMPT BY THE REGISTERED ENTITY TO CONCEAL THE VIOLATION(S) OR INFORMATION NEEDED TO REVIEW, EVALUATE OR INVESTIGATE THE VIOLATION.

YES  NO   
IF YES, EXPLAIN

(5) ANY EVIDENCE THE VIOLATION(S) WERE INTENTIONAL (IF THE RESPONSE IS "YES," THE ABBREVIATED NOP FORM MAY NOT BE USED.)

YES  NO   
IF YES, EXPLAIN

(6) ANY OTHER MITIGATING FACTORS FOR CONSIDERATION

YES  NO   
IF YES, EXPLAIN

(7) ANY OTHER AGGRAVATING FACTORS FOR CONSIDERATION

YES  NO   
IF YES, EXPLAIN

(8) ANY OTHER EXTENUATING CIRCUMSTANCES

YES  NO   
IF YES, EXPLAIN

OTHER RELEVANT INFORMATION:

NOTICE OF ALLEGED VIOLATION AND PROPOSED PENALTY OR  
SANCTION ISSUED

DATE: OR N/A

SETTLEMENT DISCUSSIONS COMMENCED

DATE: **October 15, 2009** OR N/A

NOTICE OF CONFIRMED VIOLATION ISSUED

DATE: OR N/A

SUPPLEMENTAL RECORD INFORMATION

DATE(S) OR N/A

REGISTERED ENTITY RESPONSE CONTESTED

FINDINGS  PENALTY  BOTH  NO CONTEST

HEARING REQUESTED  
YES  NO   
DATE  
OUTCOME  
APPEAL REQUESTED

# **Disposition Document for FAC-001-0 R1, R2 and R3**

## DISPOSITION OF VIOLATIONS

|                     |                              |
|---------------------|------------------------------|
| NERC TRACKING NO.   | REGIONAL ENTITY TRACKING NO. |
| <b>SPP200900123</b> | <b>2009-053</b>              |
| <b>SPP200900124</b> | <b>2009-054</b>              |
| <b>SPP200900125</b> | <b>2009-055</b>              |

### I. VIOLATION INFORMATION

| RELIABILITY STANDARD <sup>1</sup> | REQUIREMENT(S) | SUB-REQUIREMENT(S)          | VRF(S)        | VSL(S)        |
|-----------------------------------|----------------|-----------------------------|---------------|---------------|
| <b>FAC-001-0</b>                  | <b>R1</b>      | <b>R1.1, R1.2, R1.3</b>     | <b>Medium</b> | <b>Severe</b> |
| <b>FAC-001-0</b>                  | <b>R2</b>      | <b>R2.1, 2.1.1, et seq.</b> | <b>Medium</b> | <b>Severe</b> |
| <b>FAC-001-0</b>                  | <b>R3</b>      |                             | <b>Medium</b> | <b>Severe</b> |

VIOLATION APPLIES TO THE FOLLOWING FUNCTIONS:

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP | RSG | TO       | TOP | TP | TSP |
|----|----|----|-----|----|-----|----|-----|----|----|-----|----------|-----|----|-----|
|    |    |    |     |    |     |    |     |    |    |     | <b>x</b> |     |    |     |

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

**The purpose statement of FAC-001-0 provides: “To avoid adverse impacts on reliability, Transmission Owners must establish facility connection and performance requirements.”**

**FAC-001-0 R1, R2 and R3 provide:**

**R1. The Transmission Owner shall document, maintain, and publish facility connection requirements to ensure compliance with NERC Reliability Standards and applicable Regional Reliability Organization,<sup>[2]</sup> subregional, Power Pool, and individual Transmission Owner planning criteria and facility connection requirements. The Transmission Owner’s facility connection requirements shall address connection requirements for:**

**R1.1 Generation facilities,  
R1.2 Transmission facilities, and  
R1.3 End-user facilities**

**R2. The Transmission Owner’s facility connection requirements shall address, but are not limited to, the following items:**

<sup>1</sup> The Verification of Mitigation Plan Completion letter incorrectly refers to this standard as FAC-001-1.

<sup>2</sup> Consistent with applicable FERC precedent, the term ‘Regional Reliability Organization’ in this context refers to SPP RTO.



**R2.1 Provide a written summary of its plans to achieve the required systems performance as described above throughout the planning horizon:**

**R2.1.1 Procedures for coordinated joint studies of new facilities and their impacts on the interconnected transmission systems.**

**R2.1.2 Procedures for notification of new or modified facilities to others (those responsible for the reliability of the interconnected transmission systems) as soon as feasible.**

**R2.1.3 Voltage level and MW and MVAR capacity or demand at point of connection.**

**R2.1.4 Breaker duty and surge protection.**

**R2.1.5 System protection and coordination.**

**R2.1.6 Metering and telecommunications.**

**R2.1.7 Grounding and safety issues.**

**R2.1.8 Insulation and insulation coordination.**

**R2.1.9 Voltage, Reactive Power, and power factor control.**

**R2.1.10 Power quality impacts.**

**R2.1.11 Equipments Ratings.**

**R2.1.12 Synchronizing of facilities.**

**R2.1.13 Maintenance coordination.**

**R2.1.14 Operational issues (abnormal frequency and voltages).**

**R2.1.15 Inspection requirements for existing or new facilities.**

**R2.1.16 Communications and procedures during normal and emergency operating conditions.**

**R3. The Transmission Owner shall maintain and update its facility connection requirements as required. The Transmission Owner shall make documentation of these requirements available to the users of the transmission system, the Regional Reliability Organization,<sup>[3]</sup> and NERC on request (five business days).**

**(Footnotes added.)**

#### **VIOLATION DESCRIPTION**

**SPP200900123: On August 14, 2009, MDEA self-reported a violation of FAC-001-0 R1 because it had not documented, maintained, or published facility connection requirements.**

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<sup>3</sup> Consistent with applicable FERC precedent, the term 'Regional Reliability Organization' in this context refers to SPP RE.

**SPP200900124: On August 14, 2009, MDEA self-reported a violation of FAC-001-0 R2 because it did not have documented facility connection requirements containing all of the elements specified in FAC-001-0 R2.**

**SPP200900125: On August 14, 2009, MDEA self-reported a violation of FAC-001-0 R3 because it had not maintained or updated facility connection requirements.**

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

**SPP RE determined that the violations did not pose a serious or substantial risk to the reliability of the bulk power system because, although MDEA failed to have facility connection requirements, MDEA indicated that there have not been any requests to connect to its single, 23 mile transmission line. Additionally, MDEA would have applied connection procedures and requirements to any such request to connect consistent with SPP RTO Criteria and Entergy and Clarksdale operational requirements, as applicable.**

**II. DISCOVERY INFORMATION**

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

**DURATION DATE(S) 8/24/07 (the date MDEA registered as a Transmission Owner) through 12/29/09 (the date the Mitigation Plans were successfully completed)**

**DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY 8/14/09**

IS THE VIOLATION STILL OCCURRING

YES  NO

IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED YES  NO   
 PRE TO POST JUNE 18, 2007 VIOLATION YES  NO

### III. MITIGATION INFORMATION

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.

**SPP200900123: MIT-07-2082**

**SPP200900124: MIT-07-2083**

**SPP200900125: MIT-07-2084**

DATE SUBMITTED TO REGIONAL ENTITY **10/27/09**

DATE ACCEPTED BY REGIONAL ENTITY **10/28/09**

DATE APPROVED BY NERC **11/2/09**

DATE PROVIDED TO FERC **11/2/09**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

N/A

MITIGATION PLAN COMPLETED YES  NO

EXPECTED COMPLETION DATE **12/31/09**

EXTENSIONS GRANTED **N/A**

ACTUAL COMPLETION DATE **12/29/09**

DATE OF CERTIFICATION LETTER **12/29/09 (submitted 12/30/09)**

CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **12/29/09**

DATE OF VERIFICATION LETTER **1/22/10**

VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **12/29/09**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

- **MDEA prepared and adopted a document entitled *Reliability Standard Compliance Procedure: FAC-001-0 Facility Connection Requirements*, which addressed the requirements of FAC-001-0 R1 and R2.**
- **MDEA included in its *Facility Connection Requirements* procedures to ensure periodic review and updating and provisions to ensure that the *Facility Connection Requirements* are made available to users of the transmission system, NERC, and SPP upon request (within five business days).**
- **The implementation of the *Facility Connection Requirements* will prevent recurrence of this violation.**

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN OR MILESTONES (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- **Statement of Compliance dated December 30, 2009**
- ***Reliability Standard Compliance Procedure: FAC-001-0 Facility Connection Requirements, R1, R2, and R3* dated November 25, 2009**

EXHIBITS:

SOURCE DOCUMENT

**Self-Report from MDEA for SPP200900123, SPP200900124 and SPP200900125 dated August 14, 2009**

MITIGATION PLAN

**Mitigation Plan for SPP200900123 dated October 27, 2009**

**Mitigation Plan for SPP200900124 dated October 27, 2009**

**Mitigation Plan for SPP200900125 dated October 27, 2009**

CERTIFICATION BY REGISTERED ENTITY

**Certification of Mitigation Plan Completion for SPP200900123, SPP200900124 and SPP200900125 dated December 29, 2009 (submitted December 30, 2009)**

VERIFICATION BY REGIONAL ENTITY

**Mitigation Plan Completion Notice for SPP200900123, SPP200900124 and SPP200900125 dated January 22, 2010**

## **Disposition Document for FAC-003-1 R1 and R2**

## DISPOSITION OF VIOLATION

|                   |                              |
|-------------------|------------------------------|
| NERC TRACKING NO. | REGIONAL ENTITY TRACKING NO. |
| SPP200900126      | 2009-056                     |
| SPP200900127      | 2009-057                     |

### I. VIOLATION INFORMATION

| RELIABILITY STANDARD | REQUIREMENT(S) | SUB-REQUIREMENT(S)   | VRF(S)      | VSL(S)        |
|----------------------|----------------|----------------------|-------------|---------------|
| <b>FAC-003-1</b>     | <b>R1</b>      | <b>R1.1, et seq.</b> | <b>High</b> | <b>Severe</b> |
| <b>FAC-003-1</b>     | <b>R2</b>      |                      | <b>High</b> | <b>Severe</b> |

#### VIOLATION APPLIES TO THE FOLLOWING FUNCTIONS:

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP | RSG | TO | TOP | TP | TSP |
|----|----|----|-----|----|-----|----|-----|----|----|-----|----|-----|----|-----|
|    |    |    |     |    |     |    |     |    |    |     | x  |     |    |     |

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

**The purpose statement of FAC-003-1 provides:**

**To improve the reliability of the electric transmission systems by preventing outages from vegetation located on the transmission rights-of-way (ROW) and minimizing outages from vegetation located adjacent to ROW, maintaining clearances between transmission lines and vegetation on and along transmission ROW, and reporting vegetation-related outages of the transmission systems to the respective Regional Reliability Organizations (RRO) and the North American Electric Reliability Council (NERC).**

**FAC-003-1 R1 and R2 provide:**

**R1. The Transmission Owner shall prepare, and keep current, a formal transmission vegetation management program (TVMP). The TVMP shall include the Transmission Owner's objectives, practices, approved procedures, and work specifications<sup>1</sup>.**

**R1.1. The TVMP shall define a schedule for and the type (aerial, ground) of ROW vegetation inspections. This schedule should be flexible enough to adjust for changing conditions. The inspection schedule shall be based on the anticipated growth of vegetation and any other environmental or operational factors that could impact the**

<sup>1</sup> ANSI A300, Tree Care Operations-Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices, while not a requirement of this standard, is considered to be an industry best practice.

relationship of vegetation to the Transmission Owner's transmission lines.

**R1.2. The Transmission Owner, in the TVMP, shall identify and document clearances between vegetation and any overhead, ungrounded supply conductors, taking into consideration transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, and the effects of wind velocities on conductor sway. Specifically, the Transmission Owner shall establish clearances to be achieved at the time of vegetation management work identified herein as Clearance 1, and shall also establish and maintain a set of clearances identified herein as Clearance 2 to prevent flashover between vegetation and overhead ungrounded supply conductors.**

**R1.2.1. Clearance 1 — The Transmission Owner shall determine and document appropriate clearance distances to be achieved at the time of transmission vegetation management work based upon local conditions and the expected time frame in which the Transmission Owner plans to return for future vegetation management work. Local conditions may include, but are not limited to: operating voltage, appropriate vegetation management techniques, fire risk, reasonably anticipated tree and conductor movement, species types and growth rates, species failure characteristics, local climate and rainfall patterns, line terrain and elevation, location of the vegetation within the span, and worker approach distance requirements. Clearance 1 distances shall be greater than those defined by Clearance 2 below.**

**R1.2.2. Clearance 2 — The Transmission Owner shall determine and document specific radial clearances to be maintained between vegetation and conductors under all rated electrical operating conditions. These minimum clearance distances are necessary to prevent flashover between vegetation and conductors and will vary due to such factors as altitude and operating voltage. These Transmission Owner-specific minimum clearance distances shall be no less than those set forth in the Institute of Electrical and Electronics Engineers (IEEE) Standard 516-2003 (*Guide for Maintenance Methods on Energized Power Lines*) and as specified in its Section 4.2.2.3, Minimum Air Insulation Distances without Tools in the Air Gap.**

**R1.2.2.1 Where transmission system transient overvoltage factors are not known, clearances shall be**

**derived from Table 5, IEEE 516-2003, phase-to-ground distances, with appropriate altitude correction factors applied.**

**R1.2.2.2 Where transmission system transient overvoltage factors are known, clearances shall be derived from Table 7, IEEE 516-2003, phase-to-phase voltages, with appropriate altitude correction factors applied.**

**R1.3. All personnel directly involved in the design and implementation of the TVMP shall hold appropriate qualifications and training, as defined by the Transmission Owner, to perform their duties.**

**R1.4. Each Transmission Owner shall develop mitigation measures to achieve sufficient clearances for the protection of the transmission facilities when it identifies locations on the ROW where the Transmission Owner is restricted from attaining the clearances specified in Requirement 1.2.1.**

**R1.5. Each Transmission Owner shall establish and document a process for the immediate communication of vegetation conditions that present an imminent threat of a transmission line outage. This is so that action (temporary reduction in line rating, switching line out of service, etc.) may be taken until the threat is relieved.**

**R2. The Transmission Owner shall create and implement an annual plan for vegetation management work to ensure the reliability of the system. The plan shall describe the methods used, such as manual clearing, mechanical clearing, herbicide treatment, or other actions. The plan should be flexible enough to adjust to changing conditions, taking into consideration anticipated growth of vegetation and all other environmental factors that may have an impact on the reliability of the transmission systems. Adjustments to the plan shall be documented as they occur. The plan should take into consideration the time required to obtain permissions or permits from landowners or regulatory authorities. Each Transmission Owner shall have systems and procedures for documenting and tracking the planned vegetation management work and ensuring that the vegetation management work was completed according to work specifications.**

#### **VIOLATION DESCRIPTION**

**SPP200900126: On August 14, 2009, MDEA submitted a self-report stating that it did not have a documented transmission vegetation management program as required by FAC-003-1 R1.**



**SPP200900127: On August 14, 2009, MDEA submitted a self-report stating that it had not documented an annual plan for vegetation management work as required by FAC-003-1 R2.**

RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL

**SPP RE determined that the violations did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because, although MDEA failed to formally document its vegetation management program, MDEA's single, 23 mile transmission line, which is constructed along a railroad right-of-way, has been inspected on (approximately) a monthly basis to identify and address any observable risks of contact or flashover between the transmission line and vegetation. MDEA performed tree-trimming and engaged an herbicide contractor to maintain vegetation clearances on an as-needed basis. MDEA has not experienced any outages or flashovers due to vegetation.**

**II. DISCOVERY INFORMATION**

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

**DURATION DATE(S) 8/24/07 (the date MDEA registered as a TO) through 12/16/09 (the date the Mitigation Plan was successfully completed)**

**DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY 8/14/09**

IS THE VIOLATION STILL OCCURRING

YES  NO

IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED YES  NO   
 PRE TO POST JUNE 18, 2007 VIOLATION YES  NO

### **III. MITIGATION INFORMATION**

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.

**SPP200900126: MIT-07-2085**

**SPP200900127: MIT-07-2086**

DATE SUBMITTED TO REGIONAL ENTITY      **10/27/09**

DATE ACCEPTED BY REGIONAL ENTITY      **10/28/09**

DATE APPROVED BY NERC      **11/2/09**

DATE PROVIDED TO FERC      **11/2/09**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

N/A

MITIGATION PLAN COMPLETED      YES       NO

EXPECTED COMPLETION DATE      **12/31/09**

EXTENSIONS GRANTED      **N/A**

ACTUAL COMPLETION DATE      **12/16/09**

DATE OF CERTIFICATION LETTER      **12/22/09**

CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **12/16/09**

DATE OF VERIFICATION LETTER      **3/1/10**

VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **12/16/09<sup>2</sup>**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT RECURRENCE

**1. MDEA developed a written TVMP, which included the following items:**

- a. **A schedule for vegetation inspections, including provisions to accommodate changing conditions that may dictate a need for more frequent inspections due to anticipated growth, environmental, or operational factors that may impact how vegetation in the vicinity of the MDEA transmission line is managed.**
- b. **Consistent with Requirement R1.2 and Sub-Requirements thereof, identification of clearances to be achieved at the time of vegetation management work (i.e., Clearance 1) and clearances to be maintained so as to prevent flashover between vegetation and conductors (i.e., Clearance 2). Such clearances include clearances between vegetation and any overhead, ungrounded supply**

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<sup>2</sup> The Verification of Mitigation Plan Completion incorrectly states that the Mitigation Plans were completed on December 22, 2009.

conductors and consider transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, and the effects of wind velocities on conductor sway.

- c. **Qualifications and training for all personnel directly involved in the design and implementation of the TVMP.**
  - d. **Measures to achieve sufficient clearances for the protection of the MDEA transmission line in locations on the right-of-way where restrictions exist that may prevent the attainment of Clearances 1 and 2 (if any).**
  - e. **A process pursuant to which vegetation conditions that present an imminent threat of a transmission line outage are communicated so that actions may be taken to relieve the threat.**
  - f. **Procedures to ensure that vegetation-related outages are reported to SPP RE (or SPP's designee).**
2. **MDEA prepared and adopted an annual plan for vegetation management work. The annual plan addressed the following:**
- a. **The methods used for vegetation management.**
  - b. **A description of how changing conditions that may necessitate more frequent inspections and/or management activities shall be addressed.**
  - c. **The documentation of any adjustments to the annual plan as the need for such adjustments may occur.**
  - d. **The time required to obtain permission and/or permits for vegetation inspection and management work from land owners and/or regulatory authorities, as applicable.**
  - e. **Procedures for documenting and tracking the planned vegetation management work.**
  - f. **Procedures for ensuring that all vegetation management work is completed according to work specifications.**
3. **MDEA distributed the TVMP and annual work plan to personnel directly involved in the design and implementation of these documents.**
4. **The development of a documented TVMP will prevent future violations of R1. MDEA's TVMP requires MDEA to prepare an annual vegetation management plan, which will prevent recurrence of violations involving R2.**

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN OR MILESTONES (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- ***MDEA Transmission Vegetation Management Program* dated December 8, 2009;**
- **Letter dated February 1, 2010, describing Personnel Work Specifications and Qualifications;**
- **Affidavit dated February 26, 2010 of MDEA's Vegetation Management Coordinator describing his experience consistent with the TVMP and Standard. The affidavit stated that the line was being inspected even though documentation was not being recorded until July 2009; and**
- **Monthly log records of the monitoring and inspection of the transmission line dated July 2009 through January 2010.**

EXHIBITS:

SOURCE DOCUMENT

**Self Report from MDEA for SPP200900126 and SPP200900127 dated August 14, 2009**

MITIGATION PLAN

**MDEA's Mitigation Plan for SPP200900126 dated October 27, 2009**

**MDEA's Mitigation Plan for SPP200900127 dated October 27, 2009**

CERTIFICATION BY REGISTERED ENTITY

**Certification of Mitigation Plan Completion for SPP200900126 and SPP200900127 dated October 22, 2009**

VERIFICATION BY REGIONAL ENTITY

**Mitigation Plan Completion Notice for SPP200900126, and SPP200900127 dated March 1, 2010**

**Disposition Document for FAC-008-1 R1 and  
FAC-009-1 R1**

## DISPOSITION OF VIOLATIONS

|                     |                              |
|---------------------|------------------------------|
| NERC TRACKING NO.   | REGIONAL ENTITY TRACKING NO. |
| <b>SPP200900128</b> | <b>2009-058</b>              |
| <b>SPP200900129</b> | <b>2009-059</b>              |

### I. VIOLATION INFORMATION

| RELIABILITY STANDARD | REQUIREMENT(S) | SUB-REQUIREMENT(S)      | VRF(S)                    | VSL(S)        |
|----------------------|----------------|-------------------------|---------------------------|---------------|
| <b>FAC-008-1</b>     | <b>R1</b>      | <b>R1.1, R1.2, R1.3</b> | <b>Medium<sup>1</sup></b> | <b>Severe</b> |
| <b>FAC-009-1</b>     | <b>R1</b>      |                         | <b>Medium</b>             | <b>Severe</b> |

#### VIOLATION APPLIES TO THE FOLLOWING FUNCTIONS:

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP | RSG | TO | TOP | TP | TSP |
|----|----|----|-----|----|-----|----|-----|----|----|-----|----|-----|----|-----|
|    |    |    |     |    |     |    |     |    |    |     | x  |     |    |     |

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

**The purpose statements of FAC-008-1 and FAC-009-1 provide: “To ensure that Facility Ratings used in the reliability planning and operation of the Bulk Electric System (BES) are determined based on an established methodology or methodologies.”**

**FAC-008-1 R1 provides:**

**R1. The Transmission Owner and Generator Owner shall each document its current methodology used for developing Facility Ratings (Facility Ratings Methodology) of its solely and jointly owned Facilities. The methodology shall include all of the following:**

**R1.1 A statement that a Facility Rating shall equal the most limiting applicable Equipment Rating of the individual equipment that comprises that Facility.**

**R1.2 The method by which the Rating (of major BES equipment that comprises a Facility) is determined.**

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<sup>1</sup> FAC-008-1 R1, R1.3 and R1.3.5 each have a “Lower” VRF; R1.1, R1.2, R1.2.1, R1.2.2, R1.3.1-4 each have a “Medium” VRF. When NERC filed VRFs it originally assigned FAC-008-1 R1.1, R1.2, R1.2.1 and R1.2.2 “Lower” VRFs. The Commission approved the VRFs as filed; however, it directed NERC to submit modifications. NERC submitted the modified “Medium” VRFs and on February 6, 2008, the Commission approved the modified “Medium” VRFs. Therefore, the “Lower” VRFs for FAC-008-1 R1.1, R1.2, R1.2.1 and R1.2.2 were in effect from June 18, 2007 until February 6, 2008 when the “Medium” VRFs became effective.

**R1.2.1** The scope of equipment addressed shall include, but not be limited to, generators, transmission conductors, transformers, relay protective devices, terminal equipment, and series and shunt compensation devices.

**R1.2.2** The scope of the Ratings addressed shall include, as a minimum, both Normal and Emergency Ratings.

**R1.3** Consideration of the following:

**R1.3.1** Ratings provided by equipment manufacturers.

**R1.3.2** Design criteria (e.g., including applicable references to industry Rating practices such as manufacturer's warranty, IEEE, ANSI or other standards.)

**R1.3.3** Ambient conditions.

**R1.3.4** Operating limitations.

**R1.3.5** Other assumptions.

**FAC-009-1 R1** provides: "The Transmission Owner and Generator Owner shall each establish Facility Ratings for its solely and jointly owned Facilities that are consistent with the associated Facility Ratings Methodology."

**VIOLATION DESCRIPTION**

**FAC-008-1 R1:** On August 14, 2009, MDEA self-reported a violation of FAC-008-1 R1 because it did not have a documented Facility Ratings Methodology.

**FAC-009-1 R1:** On August 14, 2009, MDEA self-reported a violation of FAC-009-1 R1 because it did not have Facility Ratings based upon a documented Facility Ratings Methodology.

**RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL**

**SPP RE** determined that the violations did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because, although MDEA had not developed a documented Facility Ratings Methodology, MDEA had normal and emergency ratings for its 23 mile transmission line, which is the only transmission facility that MDEA owns, based upon manufacturers' data.

**II. DISCOVERY INFORMATION**

METHOD OF DISCOVERY

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

DURATION DATE(S): **SPP200900128: 8/24/07 (the date MDEA was registered as a TO) through 7/1/10 (the date the Mitigation Plan was successfully completed)**  
**SPP200900129: 8/24/07 (the date MDEA was registered as a TO) through 4/30/10 (the date the Mitigation Plan was successfully completed)**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY **8/14/09**

IS THE VIOLATION STILL OCCURRING

YES  NO

IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED YES  NO   
 PRE TO POST JUNE 18, 2007 VIOLATION YES  NO

**III. MITIGATION INFORMATION**

FOR FINAL ACCEPTED MITIGATION PLAN:

MITIGATION PLAN NO.

**SPP200900128: MIT-07-2087**

**SPP200900129: MIT-07-2088**

DATE SUBMITTED TO REGIONAL ENTITY **10/27/09**

DATE ACCEPTED BY REGIONAL ENTITY **10/28/09**

DATE APPROVED BY NERC **11/2/09**

DATE PROVIDED TO FERC **11/2/09**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

N/A

MITIGATION PLAN COMPLETED YES  NO

**SPP200900128**

EXPECTED COMPLETION DATE **4/30/10**



EXTENSIONS GRANTED **One until 7/1/10<sup>2</sup>**  
ACTUAL COMPLETION DATE **7/1/10**

DATE OF CERTIFICATION LETTER **7/1/10**  
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **7/1/10**

DATE OF VERIFICATION LETTER **7/7/10**  
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **7/1/10**

**SPP200900129**

EXPECTED COMPLETION DATE **4/30/10**  
EXTENSIONS GRANTED **N/A**  
ACTUAL COMPLETION DATE **4/30/10**

DATE OF CERTIFICATION LETTER **4/30/10**  
CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF **4/30/10**

DATE OF VERIFICATION LETTER **5/19/10**  
VERIFIED COMPLETE BY REGIONAL ENTITY AS OF **4/30/10**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT  
RECURRENCE

**SPP200900128: FAC-008-1 R1**

- **MDEA prepared and adopted a written Facility Ratings Methodology consistent with the requirements of FAC-008-1 R1. MDEA sent e-mails to its Reliability Coordinator, Transmission Operator, Transmission Planner, and Planning Authority advising that MDEA had established a documented Facility Ratings Methodology and providing a copy of the Methodology for inspection and technical review. No comments were received.**
- **MDEA's adoption of a documented Facility Ratings Methodology will prevent recurrence of this self-reported violation.**

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<sup>2</sup> On April 30, 2010, MDEA certified that it had completed its Mitigation Plan on that same day. On May 19, 2010, SPP RE sent MDEA a Mitigation Plan Completion Notice stating that it verified that the Mitigation Plan was complete. During a compliance audit conducted by SPP RE on June 14, 2010 and June 15, 2010, the audit team found that MDEA's Facility Ratings Methodology was deficient with regards to generation facilities. On June 24, 2010, SPP RE sent MDEA a notice to withdraw its Mitigation Plan Completion Notice. In the June 24, 2010 notice, SPP RE stated that the deficiency discovered by the audit team should have been identified during SPP RE's verification review in May and therefore, SPP RE proposed to re-open MDEA's Mitigation Plan and extend the completion date to July 1, 2010 to allow MDEA to correct the deficiency.

**SPP200900129: FAC-009-1 R1**

- **MDEA prepared and adopted Facility Ratings for its 23 mile transmission line and associated equipment. The ratings were consistent with MDEA's documented Facility Ratings Methodology.**
- **MDEA provided its Facility Ratings to its Reliability Coordinator, Transmission Operator, Transmission Planner and/or Planning Authority for comment. No comments were received.**
- **To prevent recurrence of this self-reported violation, MDEA has established procedures to maintain its Facility Ratings in accordance with its Facility Ratings Methodology. According to these procedures, MDEA will provide its Facility Ratings to its Reliability Coordinator, Transmission Operator, Transmission Planner and/or Planning Authority upon request.**

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN OR MILESTONES (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

**SPP200900128 FAC-008-1 R1:**

- ***MDEA/Clarksdale Reliability Standard Compliance Procedure: FAC-008-1 Facility Ratings Methodology, R1, R2, R3 dated December 8, 2010***
- **Statement of Compliance signed by MDEA's Regulatory Compliance Officer on April 30, 2010**
- **Email to Entergy dated January 8, 2010 requesting Entergy (MDEA's Transmission Operator, Transmission Planner, and Planning Authority) to review the procedure and accompanying read receipt**
- **Email to SPP RC (Reliability Coordinator) dated January 8, 2010 requesting review of the procedure and accompanying read receipt**

**SPP200900129 FAC-009-1 R1:**

- **FAC-009 Facility Ratings Spreadsheets dated February 25, 2010**
- **Statement of Compliance signed by MDEA's Regulatory Compliance Officer on April 30, 2010**
- **Email to Entergy dated April 6, 2010 with Facility Ratings and accompanying read receipt**
- **Email to SPP dated April 6, 2010 with Facility Ratings and accompanying read receipt**

EXHIBITS:

SOURCE DOCUMENT

**Self Report for SPP200900128 dated August 14, 2009**

**Self Report for SPP200900129 dated August 14, 2009**

MITIGATION PLAN

**MDEA's Mitigation Plan for SPP200900128 dated October 27, 2009**

**MDEA's Mitigation Plan for SPP200900129 dated October 27, 2009**

CERTIFICATION BY REGISTERED ENTITY

**Certification of Mitigation Plan Completion for SPP200900128 dated July 1, 2010**

**Certification of Mitigation Plan Completion for SPP200900129 dated April 30, 2010**

VERIFICATION BY REGIONAL ENTITY

**Mitigation Plan Completion Notice for SPP200900128 dated July 7, 2010**

**Mitigation Plan Completion Notice for SPP200900129 dated May 19, 2010**

## **Disposition Document for PRC-005-1 R1 and R2**

## DISPOSITION OF VIOLATIONS

|                     |                              |
|---------------------|------------------------------|
| NERC TRACKING NO.   | REGIONAL ENTITY TRACKING NO. |
| <b>SPP200900130</b> | <b>2009-060</b>              |
| <b>SPP201000196</b> | <b>2009-126</b>              |

### I. VIOLATION INFORMATION

| RELIABILITY STANDARD | REQUIREMENT(S) | SUB-REQUIREMENT(S) | VRF(S)                  | VSL(S)        |
|----------------------|----------------|--------------------|-------------------------|---------------|
| <b>PRC-005-1</b>     | <b>R1</b>      | <b>R1.1, R1.2</b>  | <b>High</b>             | <b>Severe</b> |
| <b>PRC-005-1</b>     | <b>R2</b>      | <b>R2.1, R2.2</b>  | <b>High<sup>1</sup></b> | <b>Severe</b> |

VIOLATION APPLIES TO THE FOLLOWING FUNCTIONS:

| BA | DP | GO | GOP | IA | LSE | PA | PSE | RC | RP | RSG | TO | TOP | TP | TSP |
|----|----|----|-----|----|-----|----|-----|----|----|-----|----|-----|----|-----|
|    |    |    |     |    |     |    |     |    |    |     | x  |     |    |     |

PURPOSE OF THE RELIABILITY STANDARD AND TEXT OF RELIABILITY STANDARD AND REQUIREMENT(S)/SUB-REQUIREMENT(S)

**The purpose statement of PRC-005-1 provides: “To ensure all transmission and generation Protection Systems<sup>[2]</sup> affecting the reliability of the Bulk Electric System (BES) are maintained and tested.” (Footnote added.)**

**PRC-005-1 R1 and R2 provide:**

**R1. Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall have a Protection System maintenance and testing program for Protection Systems that affect the reliability of the BES. The program shall include:**

**R1.1 Maintenance and testing intervals and their basis.**

**R1.2 Summary of maintenance and testing procedures.**

**R2. Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its**

<sup>1</sup> PRC-005-1 R2 has a “Lower” Violation Risk Factor (VRF); R2.1 and R2.2 each have a “High” VRF. In the context of this case, SPP RE determined that the violation related to both 2.1 and 2.2, and therefore a “High” VRF is appropriate.

<sup>2</sup> *The NERC Glossary of Terms Used in Reliability Standards* defines Protection System as “Protective relays, associated communication systems, voltage and current sensing devices, station batteries and DC control circuitry.”

**Regional Reliability Organization<sup>[3]</sup> on request (within 30 calendar days). The documentation of the program implementation shall include:**

**R2.1 Evidence Protection System devices were maintained and tested within the defined intervals.**

**R2.2 Date each Protection System device was last tested/maintained.**

**(Footnote added.)**

**VIOLATION DESCRIPTION**

**SPP200900130 PRC-005-1 R1: On August 14, 2009, MDEA self-reported a violation of PRC-005-1 R1 because it did not have a documented transmission Protection System maintenance and testing program.**

**SPP201000196 PRC-005-1 R2: On January 8, 2010, MDEA self-reported a violation of PRC-005-1 R2 because it did not have documentation of having tested and maintained certain transmission Protection System devices associated with its transmission line in accordance with its newly adopted transmission Protection System maintenance and testing program.**

**RELIABILITY IMPACT STATEMENT- POTENTIAL AND ACTUAL**

**SPP RE determined that the violations did not pose a serious or substantial risk to the reliability of the bulk power system (BPS) because, although MDEA did not have a documented Protection System maintenance and testing program for a period of time and then failed to meet the intervals included in the newly adopted program, its Protection System equipment is continuously monitored and, in the event of a misoperation of MDEA’s transmission Protection Systems, an alarm will sound via the Supervisory Control and Data Acquisition (SCADA) system to a 24-hour manned control center. Further, MDEA had evidence to indicate that it tested and maintained its devices, although not according to a documented program.**

**II. DISCOVERY INFORMATION**

**METHOD OF DISCOVERY**

- SELF-REPORT
- SELF-CERTIFICATION
- COMPLIANCE AUDIT
- COMPLIANCE VIOLATION INVESTIGATION
- SPOT CHECK
- COMPLAINT
- PERIODIC DATA SUBMITTAL
- EXCEPTION REPORTING

<sup>3</sup> Consistent with applicable FERC precedent, the term ‘Regional Reliability Organization’ in this context refers to SPP RE.

DURATION DATE(S) **SPP200900130: 8/24/07 (the date MDEA registered as a TO) through 12/29/09 (the date the Mitigation Plan was successfully completed)**

**SPP201000196: 8/24/07 (the date MDEA registered as a TO) through 4/30/10 (the date the Mitigation Plan was successfully completed)**

DATE DISCOVERED BY OR REPORTED TO REGIONAL ENTITY

**SPP200900130: 8/14/09**

**SPP201000196: 1/8/10**

IS THE VIOLATION STILL OCCURRING

YES  NO

IF YES, EXPLAIN

REMEDIAL ACTION DIRECTIVE ISSUED YES  NO   
 PRE TO POST JUNE 18, 2007 VIOLATION YES  NO

**III. MITIGATION INFORMATION**

FOR FINAL ACCEPTED MITIGATION PLAN:

**SPP200900130**

MITIGATION PLAN NO. **MIT-07-2089**  
 DATE SUBMITTED TO REGIONAL ENTITY **10/27/09**  
 DATE ACCEPTED BY REGIONAL ENTITY **10/28/09**  
 DATE APPROVED BY NERC **11/2/09**  
 DATE PROVIDED TO FERC **11/2/09**

**SPP201000196**

MITIGATION PLAN NO. **MIT-07-2321**  
 DATE SUBMITTED TO REGIONAL ENTITY **1/26/10**  
 DATE ACCEPTED BY REGIONAL ENTITY **2/2/10**  
 DATE APPROVED BY NERC **2/9/10**  
 DATE PROVIDED TO FERC **2/9/10**

IDENTIFY AND EXPLAIN ALL PRIOR VERSIONS THAT WERE ACCEPTED OR REJECTED, IF APPLICABLE

N/A

MITIGATION PLAN COMPLETED YES  NO

EXPECTED COMPLETION DATE **SPP200900130: 12/31/09**  
**SPP201000196: 4/30/10**

EXTENSIONS GRANTED **N/A**

ACTUAL COMPLETION DATE **SPP200900130: 12/29/09**  
**SPP201000196: 4/30/10**

DATE OF CERTIFICATION LETTER

**SPP200900130: 12/29/09**

**SPP201000196: 4/30/10**

CERTIFIED COMPLETE BY REGISTERED ENTITY AS OF

**SPP200900130: 12/29/09**

**SPP201000196: 4/30/10**

DATE OF VERIFICATION LETTER

**SPP200900130: 1/22/10<sup>4</sup>**

**SPP201000196: 5/19/10<sup>5</sup>**

VERIFIED COMPLETE BY REGIONAL ENTITY AS OF

**SPP200900130: 12/29/10**

**SPP201000196: 4/30/10**

ACTIONS TAKEN TO MITIGATE THE ISSUE AND PREVENT  
RECURRENCE

**MDEA completed the following actions to mitigate the violations of PRC-005-1 R1 and R2:**

- **Identified and prepared a list of all transmission Protection System equipment and determined the dates of the most recent testing and/or maintenance of such equipment.**
- **From this list, established an interval for performing testing and maintenance on the identified equipment.**
- **Prepared and adopted a *Transmission Protection System Testing and Maintenance Program* that included identification of the equipment in the program, maintenance and testing intervals and an explanation of the basis for each interval, summaries of maintenance and testing procedures and testing and maintenance schedules.**
- **Distributed the *Transmission Protection System Maintenance and Testing Program* to the operations and/or maintenance personnel responsible for the implementation of the program.**
- **Identified the transmission Protection System equipment for which testing and/or maintenance is necessary (consistent with the recently approved Protection System Testing and Maintenance Program).**

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<sup>4</sup> The Verification document for PRC-005-1 R1 (SPP200900130) incorrectly states the violation as FAC-009-1 R1.

<sup>5</sup> The Verification document incorrectly refers to the NERC Violation ID as SPP200900196.



- **Performed the testing and maintenance on the necessary equipment and provided documentation of the testing and maintenance results to the SPP RE.**

LIST OF EVIDENCE REVIEWED BY REGIONAL ENTITY TO EVALUATE COMPLETION OF MITIGATION PLAN OR MILESTONES (FOR CASES IN WHICH MITIGATION IS NOT YET COMPLETED, LIST EVIDENCE REVIEWED FOR COMPLETED MILESTONES)

- *MDEA/Clarksdale Public Utilities Reliability Standard Compliance Procedure: PRC-005-1 Transmission and Generation Protection System Maintenance and Testing, R1 and R2* dated December 4, 2009
- **Spreadsheet of MDEA's PRC-005-1 Equipment** dated December 30, 2009
- **PRC-005-1 Protection System Testing Reports** dated March 24, 2010

EXHIBITS:

SOURCE DOCUMENT

**Self Report for SPP200900130** dated August 14, 2009  
**Self Report for SPP201000196** dated January 8, 2010

MITIGATION PLAN

**MDEA Mitigation Plan for SPP200900130** dated October 27, 2009  
**MDEA Mitigation Plan for SPP201000196** dated January 26, 2010

CERTIFICATION BY REGISTERED ENTITY

**Certification of Mitigation Plan Completion for SPP200900130** dated December 29, 2009  
**Certification of Mitigation Plan Completion for SPP201000196** dated April 30, 2010

CERTIFICATION BY REGIONAL ENTITY

**Mitigation Plan Completion Notice for SPP200900130** dated January 22, 2010  
**Mitigation Plan Completion Notice for SPP201000196** dated May 19, 2010

## **Attachment b**

### **Record documents for FAC-001-0 R1, R2 and R3**

- 1. MDEA's Self-Report for FAC-001-0 R1, R2 and R3 dated August 14, 2009**
- 2. MDEA's Mitigation Plan for FAC-001-0 R1 dated October 27, 2009**
- 3. MDEA's Mitigation Plan for FAC-001-0 R2 dated October 27, 2009**
- 4. MDEA's Mitigation Plan for FAC-001-0 R3 dated October 27, 2009**
- 5. MDEA's Certification of Mitigation Plan Completion for FAC-001-0 R1, R2 and R3 dated December 30, 2009**
- 6. SPP RE's Verification of Mitigation Plan Completion or FAC-001-0 R1, R2 and R3 dated January 22, 2010**

# SPP Self Report

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**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** August 14, 2009

**Reliability Standard and Requirement(s):** FAC-001-0, R1 through R3

## 1. Requirement R1

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, Mississippi Delta Energy Agency (“MDEA”) determined that it had not documented, maintained, or published facility connection requirements in accordance with Requirement R1.
- Potential Impact to Bulk Electric System: There are no material risks to the Bulk Electric System arising from this self-reported violation. Notwithstanding that MDEA has not documented, maintained, or published facility connection requirements that expressly address all of the elements set forth in Requirements R1 and R2 of FAC-001-0, MDEA and Entergy Services, Inc. (“Entergy”), the utility with which the only MDEA-owned transmission facility is interconnected, have established connection procedures applicable to the MDEA transmission line. Specifically, these procedures provide that modifications to the MDEA line shall be coordinated with Entergy and the impact of such modifications evaluated prior to commencement of the modifications. This process provides an opportunity for Entergy to identify potential adverse impacts on the reliability of the Bulk Electric System and for MDEA and/or Entergy to mitigate any such impacts. Furthermore, no connections to the MDEA-owned transmission line have occurred, nor is MDEA aware that any requests to connect generation, transmission, or end user facilities have been received, subsequent to the initial energization of the line in early 2002.

## 2. Requirement R2

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, MDEA determined that it had not documented facility connection requirements containing all of the elements set forth in Requirement R2.
- There are no material risks to the Bulk Electric System arising from this self-reported violation. As explained above in response to Requirement R1, MDEA and Entergy have established connection procedures applicable to the MDEA transmission line. Specifically, these procedures provide that any future modifications to the MDEA line shall be coordinated with Entergy and the impact

of such modifications evaluated prior to commencement of the modifications. This process provides an opportunity for Entergy to identify any potential adverse impacts on the reliability of the Bulk Electric System and for MDEA and/or Entergy to mitigate any such impacts.

### 3. Requirement R3

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, MDEA determined that it had not maintained or updated facility connection requirements as required by Requirement R3.
- There are no material risks to the Bulk Electric System arising from this self-reported violation. As explained above, while MDEA has not documented facility connection requirements satisfying the Requirements set forth in Reliability Standard FAC-001-0, MDEA is obligated to coordinate modifications to its transmission line with Entergy to ensure that impacts to the Entergy system are evaluated. As explained above, to date, MDEA is not aware of any party having requested MDEA's facility connection requirements.

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

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## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**



## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-001-0 R1**

Description: ***The Transmission Owner shall document, maintain, and publish facility connection requirements to ensure compliance with NERC Reliability Standards and applicable Regional Reliability Organization, subregional, Power Pool, and individual Transmission Owner planning criteria and facility connection requirements. The Transmission Owner's facility connection requirements shall address connection requirements for:***

Violation Date: **Jun 18, 2007**

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, Mississippi Delta Energy Agency ("MDEA") determined that it had not documented, maintained, or published facility connection requirements in accordance with Requirement R1***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-001-0, Requirements R1 through R3, MDEA will undertake the following corrective measures:***

- 1. Determine if NERC, SPP, or Entergy Services, Inc., the Transmission Operator for the MDEA transmission line ("Entergy"), have established planning criteria and/or requirements applicable to any connection requirements for generation, transmission, or end user facilities established by MDEA for the MDEA transmission line.***
  
- 2. Prepare and adopt written Facility Connection Requirements, which shall address the following items:***
  - a. A written summary of MDEA's plans to achieve the required system performance throughout the planning horizon:***
    - i. Procedures for coordinated joint studies of new facilities and their impacts on the interconnected transmission system,***
    - ii. Procedures for notification of new or modified facilities to others as soon as feasible,***
    - iii. Voltage level and MW and MVAR capacity or demand at point of connection,***
    - iv. Breaker duty and surge protection,***
    - v. System protection and coordination,***
    - vi. Metering and telecommunications,***
    - vii. Grounding and safety issues,***
    - viii. Insulation and insulation coordination,***
    - ix. Voltage, reactive power, and power factor control,***
    - x. Power quality impacts,***
    - xi. Equipment ratings,***
    - xii. Synchronizing of facilities,***
    - xiii. Maintenance coordination,***
    - xiv. Operational issues,***
    - xv. Inspection requirements, and***
    - xvi. Communications and procedures during normal and emergency operating conditions.***
  - b. Procedures to ensure periodic review and updating of Facility Connection Requirements.***
  - c. Provisions to ensure that the Facility Connection Requirements are made available to users of the transmission system, NERC, and SPP upon request (within five business days).***
- 3. After having completed Steps 1 and 2, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### **Mitigation Plan Timeline and Milestones**

#### **D.2**

**Southwest Power Pool RE**

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: **Dec 31, 2009**

**D.3**

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

| <b>Milestone Activity</b>   | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|---|---|-------------------------------|
| Determine Applicable Planning Criteria and/or Facility Connection Requirements (Step 1) | Oct 15, 2009  |                               |
| Prepare and Adopt Facility Connection Requirements (Step 2)                             | Dec 04, 2009  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 3)                       | Dec 31, 2009  |                               |

(\*) 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.

**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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***There are minimal risks to the Bulk Electric System arising from this self-reported violation. Notwithstanding that MDEA has not documented, maintained, or published facility connection requirements that expressly address all of the elements set forth in Requirements R1 and R2 of FAC-001-0, MDEA and Entergy have established connection procedures applicable to the MDEA transmission line. Specifically, these procedures provide that modifications to the MDEA line shall be coordinated with Entergy and the impact of such modifications evaluated prior to commencement of the modifications. This process provides an opportunity for Entergy to identify potential adverse impacts on the reliability of the Bulk Electric System and for MDEA and/or Entergy to mitigate any such impacts. Furthermore, no connections to the MDEA-owned transmission line have occurred, nor is MDEA aware that any requests to connect generation, transmission, or end user facilities have been received, subsequent to the initial energization of the line in 2002.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place documented Facility Connection Requirements applicable to requests to interconnect transmission, generation, and end-user facilities that will be available to entities requesting connections and coordinated with other potentially affected entities.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.



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## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-001-0 R2**

Description: ***The Transmission Owner's facility connection requirements shall address, but are not limited to, the following items:***

Violation Date: ***Jun 18, 2007***

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, MDEA determined that it had not documented facility connection requirements containing all of the elements set forth in Requirement R2.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-001-0, Requirements R1 through R3, MDEA will undertake the following corrective measures:***

- 1. Determine if NERC, SPP, or Entergy Services, Inc., the Transmission Operator for the MDEA transmission line ("Entergy"), have established planning criteria and/or requirements applicable to any connection requirements for generation, transmission, or end user facilities established by MDEA for the MDEA transmission line.***
  
- 2. Prepare and adopt written Facility Connection Requirements, which shall address the following items:***
  - a. A written summary of MDEA's plans to achieve the required system performance throughout the planning horizon:***
    - i. Procedures for coordinated joint studies of new facilities and their impacts on the interconnected transmission system,***
    - ii. Procedures for notification of new or modified facilities to others as soon as feasible,***
    - iii. Voltage level and MW and MVAR capacity or demand at point of connection,***
    - iv. Breaker duty and surge protection,***
    - v. System protection and coordination,***
    - vi. Metering and telecommunications,***
    - vii. Grounding and safety issues,***
    - viii. Insulation and insulation coordination,***
    - ix. Voltage, reactive power, and power factor control,***
    - x. Power quality impacts,***
    - xi. Equipment ratings,***
    - xii. Synchronizing of facilities,***
    - xiii. Maintenance coordination,***
    - xiv. Operational issues,***
    - xv. Inspection requirements, and***
    - xvi. Communications and procedures during normal and emergency operating conditions.***
  - b. Procedures to ensure periodic review and updating of Facility Connection Requirements.***
  - c. Provisions to ensure that the Facility Connection Requirements are made available to users of the transmission system, NERC, and SPP upon request (within five business days).***
- 3. After having completed Steps 1 and 2, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### **Mitigation Plan Timeline and Milestones**

#### **D.2**

**Southwest Power Pool RE**

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: **Dec 31, 2009**

**D.3**

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

| <b>Milestone Activity</b>   | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|---|---|-------------------------------|
| Determine Applicable Planning Criteria and/or Facility Connection Requirements (Step 1) | Oct 15, 2009  |                               |
| Prepare and Adopt Facility Connection Requirements (Step 2)                             | Dec 04, 2009  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 3)                       | Dec 31, 2009  |                               |

(\*) 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.

**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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***There are minimal risks to the Bulk Electric System arising from this self-reported violation. Notwithstanding that MDEA has not documented, maintained, or published facility connection requirements that expressly address all of the elements set forth in Requirements R1 and R2 of FAC-001-0, MDEA and Entergy have established connection procedures applicable to the MDEA transmission line. Specifically, these procedures provide that modifications to the MDEA line shall be coordinated with Entergy and the impact of such modifications evaluated prior to commencement of the modifications. This process provides an opportunity for Entergy to identify potential adverse impacts on the reliability of the Bulk Electric System and for MDEA and/or Entergy to mitigate any such impacts. Furthermore, no connections to the MDEA-owned transmission line have occurred, nor is MDEA aware that any requests to connect generation, transmission, or end user facilities have been received, subsequent to the initial energization of the line in 2002.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place documented Facility Connection Requirements applicable to requests to interconnect transmission, generation, and end-user facilities that will be available to entities requesting connections and coordinated with other potentially affected entities.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.



- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

---

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: ***FAC-001-0 R3***

Description: ***The Transmission Owner shall maintain and update its facility connection requirements as required. The Transmission Owner shall make documentation of these requirements available to the users of the transmission system, the Regional Reliability Organization, and NERC on request (five business days).***

Violation Date: ***Jun 18, 2007***

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, MDEA determined that it had not maintained or updated facility connection requirements as required by Requirement R3.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-001-0, Requirements R1 through R3, MDEA will undertake the following corrective measures:***

- 1. Determine if NERC, SPP, or Entergy Services, Inc., the Transmission Operator for the MDEA transmission line ("Entergy"), have established planning criteria and/or requirements applicable to any connection requirements for generation, transmission, or end user facilities established by MDEA for the MDEA transmission line.***
  
- 2. Prepare and adopt written Facility Connection Requirements, which shall address the following items:***
  - a. A written summary of MDEA's plans to achieve the required system performance throughout the planning horizon:***
    - i. Procedures for coordinated joint studies of new facilities and their impacts on the interconnected transmission system,***
    - ii. Procedures for notification of new or modified facilities to others as soon as feasible,***
    - iii. Voltage level and MW and MVAR capacity or demand at point of connection,***
    - iv. Breaker duty and surge protection,***
    - v. System protection and coordination,***
    - vi. Metering and telecommunications,***
    - vii. Grounding and safety issues,***
    - viii. Insulation and insulation coordination,***
    - ix. Voltage, reactive power, and power factor control,***
    - x. Power quality impacts,***
    - xi. Equipment ratings,***
    - xii. Synchronizing of facilities,***
    - xiii. Maintenance coordination,***
    - xiv. Operational issues,***
    - xv. Inspection requirements, and***
    - xvi. Communications and procedures during normal and emergency operating conditions.***
  - b. Procedures to ensure periodic review and updating of Facility Connection Requirements.***
  - c. Provisions to ensure that the Facility Connection Requirements are made available to users of the transmission system, NERC, and SPP upon request (within five business days).***
- 3. After having completed Steps 1 and 2, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### **Mitigation Plan Timeline and Milestones**

#### **D.2**

**Southwest Power Pool RE**

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: **Dec 31, 2009**

**D.3**

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

| <b>Milestone Activity</b>   | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|---|---|-------------------------------|
| Determine Applicable Planning Criteria and/or Facility Connection Requirements (Step 1) | Oct 15, 2009  |                               |
| Prepare and Adopt Facility Connection Requirements (Step 2)                             | Dec 04, 2009  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 3)                       | Dec 31, 2009  |                               |

(\*) 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.

**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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***There are minimal risks to the Bulk Electric System arising from this self-reported violation. Notwithstanding that MDEA has not documented, maintained, or published facility connection requirements that expressly address all of the elements set forth in Requirements R1 and R2 of FAC-001-0, MDEA and Entergy have established connection procedures applicable to the MDEA transmission line. Specifically, these procedures provide that modifications to the MDEA line shall be coordinated with Entergy and the impact of such modifications evaluated prior to commencement of the modifications. This process provides an opportunity for Entergy to identify potential adverse impacts on the reliability of the Bulk Electric System and for MDEA and/or Entergy to mitigate any such impacts. Furthermore, no connections to the MDEA-owned transmission line have occurred, nor is MDEA aware that any requests to connect generation, transmission, or end user facilities have been received, subsequent to the initial energization of the line in 2002.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place documented Facility Connection Requirements applicable to requests to interconnect transmission, generation, and end-user facilities that will be available to entities requesting connections and coordinated with other potentially affected entities.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

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## Certification of a Completed Mitigation Plan

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

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### Registered Entity Information

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: October 27, 2009**

**Date Mitigation Plan was completed: 29 December, 2009**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Facility Connection Requirements, FAC-001-0, R1, R2, & R3**

**NERC Violation ID # (*if known*): SPP200900123, SPP200900124, and SPP200900125**

**Date of Certification: December 29, 2009**

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

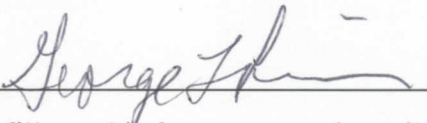
**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**



To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)





**CONFIDENTIAL NON-PUBLIC INFORMATION**

Ms. Tasha Ward  
Compliance Specialist II  
[tward@spp.org](mailto:tward@spp.org)

Southwest Power Pool Regional Entity  
415 N. McKinley, Ste 140  
Little Rock, AR 72205-3020  
P 501.688.1738  
F 501.821.8726

January 22, 2010

**VIA E-MAIL ONLY**

Mr. Marvin Carraway  
Secretary  
Mississippi Delta Energy Agency  
P.O. Box 660  
Yazoo City, Mississippi 39194  
[cpuadmin@cableone.net](mailto:cpuadmin@cableone.net)

**Re: MITIGATION PLAN COMPLETION NOTICE**

**Mississippi Delta Energy Agency; NCR06050**

NERC Violation Identification Numbers: **SPP200900123**  
NERC Standard: **FAC-001-1 R1**  
SPP RE Violation Identification Number: **2009-053**  
Mitigation Plan Number: **MIT-09-2082**

NERC Violation Identification Numbers: **SPP200900124**  
NERC Standard: **FAC-001-1 R2**  
SPP RE Violation Identification Number: **2009-054**  
Mitigation Plan Number: **MIT-09-2083**

NERC Violation Identification Numbers: **SPP200900125**  
NERC Standard: **FAC-001-1 R3**  
SPP RE Violation Identification Number: **2009-055**  
Mitigation Plan Number: **MIT-09-2084**

NERC Violation Identification Numbers: **SPP200900130**  
NERC Standard: **FAC-009-1 R1**  
SPP RE Violation Identification Number: **2009-060**  
Mitigation Plan Number: **MIT-09-2089**

Notice of Mitigation Plan Completion  
Mississippi Delta Energy Agency  
January 22, 2010  
Page 2

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Dear Mr. Carraway:

The Southwest Power Pool Regional Entity (SPP RE) has completed its review of the evidence in support of completion of the Mitigation Plans for the subject violation. SPP RE finds the Mississippi Delta Energy Agency (MDEA) has successfully completed the above referenced Mitigation Plans on December 29, 2009.

If you have any questions you may contact me at the contact information shown above.

Very Respectfully,

*Tasha Ward*

Tasha Ward

TW/ms

cc: *(via e-mail only)*

*MDEA*

George Price  
Meg McNaul

*SPP RE*

Stacy Dochoda  
Enforcement

## **Attachment c**

### **Record documents for FAC-003-1 R1 and R2**

- 1. MDEA's Self-Report for FAC-003-1 R1 and R2 dated August 14, 2009**
- 2. MDEA's Mitigation Plan for FAC-003-1 R1 dated October 27, 2009**
- 3. MDEA's Mitigation Plan for FAC-003-1 R2 dated October 27, 2009**
- 4. MDEA's Certification of Mitigation Plan Completion for FAC-003-1 R1 and R2 dated December 22, 2009**
- 5. SPP RE's Verification of Mitigation Plan Completion for FAC-003-1 R1 and R2 dated March 1, 2010**

# SPP Self Report

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**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** August 14, 2009

**Reliability Standard and Requirement(s):** FAC-003-1, R1 and R2

## 1. Requirement R1

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, Mississippi Delta Energy Agency (“MDEA”) determined that it did not have a documented transmission vegetation management program as required by Requirement R1.
- Potential Impact to Bulk Electric System: The risks to the Bulk Electric System arising from this self-reported violation are minimal. Notwithstanding that MDEA has not documented a formal vegetation management program, the MDEA transmission line, which is constructed along a minimally-vegetated railroad right-of-way, has been (and will continue to be) inspected on (approximately) a monthly basis to identify and address any observable risks of contact or flashover between the transmission line and any vegetation located in the vicinity of the line. MDEA believes that its existing vegetation management practices have proven effective at minimizing the risk of vegetation-related outages because, since the implementation of mandatory Reliability Standards, MDEA has not experienced a vegetation-related outage on its transmission line.

## 2. Requirement R2

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, MDEA determined that it had not implemented a documented annual plan for vegetation management work as required by Requirement R2.
- Potential Impact to Bulk Electric System: The risks to the Bulk Electric System arising from this self-reported violation are minimal. As explained above in response to Requirement R1, the right-of-way in which the MDEA transmission line is located is inspected approximately monthly. MDEA believes that its existing vegetation management practices have proven effective at minimizing the risk of vegetation-related outages because, since the implementation of mandatory Reliability Standards, MDEA has not experienced a vegetation-related outage on its transmission line.

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

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## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**



## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-003-1 R1**

Description: ***The Transmission owner shall prepare, and keep current, a formal transmission vegetation management (TVM). The TVMP shall include the Transmission Owner's objectives, practices, approved procedures, and work Specifications. 1. ANSI A300, Tree Care Operations - Tree, Shrub, and Other Woody Plant Maintenance - Standard Practices, while not a requirement of this standard, is considered to be an industry best practice.***

Violation Date: **Jun 18, 2007**

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, Mississippi Delta Energy Agency ("MDEA") determined that it did not have a documented transmission vegetation management program as required by Requirement R1.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-003-1, Requirements R1, MDEA will undertake the following corrective measures:***

***1.***

***Prepare and adopt a written Transmission Vegetation Management Program, which shall include the following items:***

- a. A schedule for vegetation inspections, including provisions to accommodate changing conditions that may dictate a need for more frequent inspections due to anticipated growth, environmental, or operational factors that may impact the relationship of vegetation to the MDEA transmission line.***
  - b. Consistent with Requirement R1.2 and Sub-Requirements thereof, identification of clearances to be achieved at the time of vegetation management work (i.e., Clearance 1) and clearances to be maintained so as to prevent flashover between vegetation and conductors (i.e., Clearance 2). Such clearances shall include clearances between vegetation and any overhead, ungrounded supply conductors and shall consider transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, and the effects of wind velocities on conductor sway.***
  - c. Qualifications and training for all personnel directly involved in the design and implementation of the Program.***
  - d. Mitigation measures to achieve sufficient clearances for the protection of the MDEA transmission line in locations on the right-of-way where restrictions exist that prevent the attainment of Clearances 1 and 2 (if any).***
  - e. A process pursuant to which vegetation conditions that present an imminent threat of a transmission line outage are communicated so that actions may be taken to relieve the threat.***
  - f. Procedures to ensure that vegetation-related outages are reported to SPP (or SPP's designee).***
- 2. Prepare and adopt an annual plan for vegetation management work. The annual plan shall address the following:***
- a. Describe the methods used for vegetation management.***
  - b. Describe how changing conditions that may necessitate more frequent inspections and/or management activities shall be addressed.***
  - c. Provide for the documentation of any adjustments to the annual plan as the need for such adjustments may occur.***
  - d. Address the time required to obtain permission and/or permits for vegetation inspection and management work from land owners and/or regulatory authorities, as applicable.***
  - e. Include procedures for documenting and tracking the planned vegetation management work.***
  - f. Include procedures for ensuring that all vegetation management work is completed according to work specifications.***

- 3. Distribute the Transmission Vegetation Management Program and annual work plan to personnel directly involved in the design and implementation of these documents.**
- 4. After having completed Steps 1 through 3, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.**

### **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: **Dec 31, 2009**

#### **D.3**

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

| <b>Milestone Activity</b>                                      | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|--|---|-------------------------------|
| Prepare and Adopt a Transmission Vegetation Management Program | Dec 04, 2009  |                               |
| Program/Work Plan Distribution                                 | Dec 15, 2009  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity       | Dec 31, 2009  |                               |

(\*) 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.

### **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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***The risks to the Bulk Electric System arising from this self-reported violation are minimal. Notwithstanding that MDEA has not documented a formal vegetation management program, the MDEA transmission line, which is constructed along a minimally-vegetated railroad right-of-way, has been (and will continue to be) inspected on (approximately) a monthly basis. MDEA believes that its existing vegetation management practices have proven effective at minimizing the risk of vegetation-related outages because, since the implementation of mandatory Reliability Standards, MDEA has not experienced a vegetation-related outage on its transmission line.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place a documented Transmission Vegetation Management Program and associated annual work plan to ensure that vegetation management activities continue to occur on a regular schedule by appropriately qualified personnel, satisfy established clearance requirements, and are subject to internal recordkeeping and documentation requirements. While, as discussed above, MDEA believes that the potential risks to the reliability of the Bulk Electric System are minimal, completion of the steps described herein will fully mitigate those risks.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.



---

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-003-1 R2**

Description: ***The Transmission Owner shall create and implement an annual plan for vegetation management work to ensure the reliability of the system. The plan shall describe the methods used, such as manual clearing, mechanical clearing, herbicide treatment, or other actions. The plan should be flexible enough to adjust to changing conditions, taking into consideration anticipated growth of vegetation and all other environmental factors that may have an impact on the reliability of the transmission systems. Adjustments to the plan shall be documented as they occur. The plan should take into consideration the time required to obtain permissions or permits from landowners or regulatory authorities. Each Transmission Owner shall have systems and procedures for documenting and tracking the planned vegetation management work and ensuring that the vegetation management work was completed according to work specifications.***

Violation Date: **Jun 18, 2007**

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, MDEA determined that it had not implemented a documented annual plan for vegetation management work as required by Requirement R2.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-003-1, Requirements R1, MDEA will undertake the following corrective measures:***

***1.***

***Prepare and adopt a written Transmission Vegetation Management Program, which shall include the following items:***

- a. A schedule for vegetation inspections, including provisions to accommodate changing conditions that may dictate a need for more frequent inspections due to anticipated growth, environmental, or operational factors that may impact the relationship of vegetation to the MDEA transmission line.***
  - b. Consistent with Requirement R1.2 and Sub-Requirements thereof, identification of clearances to be achieved at the time of vegetation management work (i.e., Clearance 1) and clearances to be maintained so as to prevent flashover between vegetation and conductors (i.e., Clearance 2). Such clearances shall include clearances between vegetation and any overhead, ungrounded supply conductors and shall consider transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, and the effects of wind velocities on conductor sway.***
  - c. Qualifications and training for all personnel directly involved in the design and implementation of the Program.***
  - d. Mitigation measures to achieve sufficient clearances for the protection of the MDEA transmission line in locations on the right-of-way where restrictions exist that prevent the attainment of Clearances 1 and 2 (if any).***
  - e. A process pursuant to which vegetation conditions that present an imminent threat of a transmission line outage are communicated so that actions may be taken to relieve the threat.***
  - f. Procedures to ensure that vegetation-related outages are reported to SPP (or SPP?s designee).***
- 2. Prepare and adopt an annual plan for vegetation management work. The annual plan shall address the following:***
- a. Describe the methods used for vegetation management.***
  - b. Describe how changing conditions that may necessitate more frequent inspections and/or management activities shall be addressed.***
  - c. Provide for the documentation of any adjustments to the annual plan as the need for such adjustments may occur.***
  - d. Address the time required to obtain permission and/or permits for vegetation inspection and management work from land owners and/or regulatory authorities, as applicable.***
  - e. Include procedures for documenting and tracking the planned vegetation management work.***
  - f. Include procedures for ensuring that all vegetation management work is completed according to work specifications.***

- 3. Distribute the Transmission Vegetation Management Program and annual work plan to personnel directly involved in the design and implementation of these documents.**
- 4. After having completed Steps 1 through 3, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.**

### **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: **Dec 31, 2009**

#### **D.3**

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

| <b>Milestone Activity</b>                                | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|--|---|-------------------------------|
| Prepare and Adopt Annual Work Plan                       | Dec 04, 2009  |                               |
| Program/Work Plan Distribution                           | Dec 15, 2009  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity | Dec 31, 2009  |                               |

(\*) 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.

### **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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***The risks to the Bulk Electric System arising from this self-reported violation are minimal. Notwithstanding that MDEA has not documented a formal vegetation management program, the MDEA transmission line, which is constructed along a minimally-vegetated railroad right-of-way, has been (and will continue to be) inspected on (approximately) a monthly basis. MDEA believes that its existing vegetation management practices have proven effective at minimizing the risk of vegetation-related outages because, since the implementation of mandatory Reliability Standards, MDEA has not experienced a vegetation-related outage on its transmission line.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place a documented Transmission Vegetation Management Program and associated annual work plan to ensure that vegetation management activities continue to occur on a regular schedule by appropriately qualified personnel, satisfy established clearance requirements, and are subject to internal recordkeeping and documentation requirements. While, as discussed above, MDEA believes that the potential risks to the reliability of the Bulk Electric System are minimal, completion of the steps described herein will fully mitigate those risks.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

---

## Certification of a Completed Mitigation Plan

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

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### Registered Entity Information

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: October 27, 2009**

**Date Mitigation Plan was completed: 16 December, 2009**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Transmission Vegetation Management Program, FAC-003-1, R1 & R2**

**NERC Violation ID # (*if known*): SPP200900126 and SPP200900127**

**Date of Certification: December 22, 2009**

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

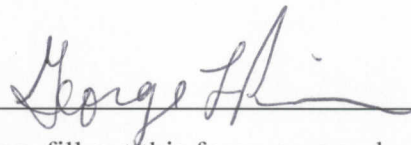
**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**

 \_\_\_\_\_

To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)



**CONFIDENTIAL NON-PUBLIC INFORMATION**

Ms. Tasha Ward  
Compliance Specialist II  
[tward@spp.org](mailto:tward@spp.org)

Southwest Power Pool Regional Entity  
415 N. McKinley, Ste 140  
Little Rock, AR 72205-3020  
P 501.688.1738  
F 501.821.8726

March 1, 2010

**Via Email Only**

Mr. Marvin Carraway  
Secretary  
Mississippi Delta Energy Agency  
P.O. Box 660  
Yazoo City, Mississippi 39194  
[cpuadmin@cablone.net](mailto:cpuadmin@cablone.net)

**Re: MITIGATION PLAN COMPLETION NOTICE**

**Mississippi Delta Energy Agency: NCR06050**

NERC Violation Identification Numbers: **SPP200900126**

NERC Standard: **FAC-003-1 R1**

SPP RE Violation Identification Number: **2009-056**

Mitigation Plan Number: **MIT-07-2085**

NERC Violation Identification Numbers: **SPP200900127**

NERC Standard: **FAC-003-1 R2**

SPP RE Violation Identification Number: **2009-057**

Mitigation Plan Number: **MIT-07-2086**

Dear Mr. Carraway:

On December 22, 2009, the Southwest Power Pool Regional Entity (SPP RE) received Mississippi Delta Energy Agency's (MDEA) Certification of Mitigation Plan Completion for the subject mitigation plans. The SPP RE has completed its review of the evidence in support of completion of the mitigation plans. SPP RE finds MDEA has successfully completed the above referenced mitigation plans on December 22, 2009.

If you have any questions you may contact me at the contact information shown above.

Very Respectfully,

*Tasha Ward*

Tasha Ward

TW/ms



Notice of Mitigation Plan Completion

Mississippi Delta Energy Agency

March 1, 2010

Page 2

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cc: *(via e-mail only)*

MDEA

George Price

Meg McNaul

SPP RE

Stacy Dochoda

Enforcement

## **Attachment d**

### **Record documents for FAC-008-1 R1 and FAC-009-1 R1**

- 1. MDEA's Self-Report for FAC-008-1 R1 dated August 14, 2009**
- 2. MDEA's Self-Report for FAC-009-1 R1 dated August 14, 2009**
- 3. MDEA's Mitigation Plan for FAC-008-1 R1 dated October 27, 2009**
- 4. SPP RE's Notice to Withdraw Mitigation Plan Completion Notice for FAC-008-1 R1 dated June 24, 2010**
- 5. MDEA's Mitigation Plan for FAC-009-1 R1 dated October 27, 2009**
- 6. MDEA's Certification of Mitigation Plan Completion for FAC-008-1 R1 dated July 1, 2010**
- 7. MDEA's Certification of Mitigation Plan Completion for FAC-009-1 R1 dated April 30, 2010**
- 8. SPP RE's Verification of Mitigation Plan Completion for FAC-009-1 R1 dated May 19, 2010**
- 9. SPP RE's Verification of Mitigation Plan Completion for FAC-008-1 R1 dated July 7, 2010**

# SPP Self Report

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**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** August 14, 2009

**Reliability Standard and Requirement(s):** FAC-008-1, R1

## 1. Requirement R1

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency (“MDEA”) determined that it has not implemented a Facility Ratings Methodology addressing all of the items contained in Requirement R1 and sub-requirements thereof.
- Potential Impact to Bulk Electric System: There are no material risks to the Bulk Electric System arising from this self-reported violation. MDEA’s transmission facilities have ratings for normal and emergency conditions based upon applicable manufacturers’ data, but MDEA has not developed a documented Facility Ratings Methodology or incorporated into its ratings the statement set forth at Requirement 1.1 or all of the elements included in Requirements R1.3.

# SPP Self Report

---

**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** August 14, 2009

**Reliability Standard and Requirement(s):** FAC-009-1, R1

## 1. Requirement R1

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency (“MDEA”) determined that its facility ratings are not documented in accordance with Requirement R1.
- Potential Impact to Bulk Electric System: There are no material risks to the Bulk Electric System arising from this self-reported violation. MDEA’s transmission facilities have ratings for normal and emergency conditions that are based upon manufacturers’ data, but MDEA has not fully documented its ratings for all applicable facilities.

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

---

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**



## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-008-1 R1**

Description: ***The Transmission Owner and Generator Owner shall each document its current methodology used for developing Facility Ratings (Facility Ratings Methodology) of its solely and jointly owned Facilities. The methodology shall include all of the following:***

Violation Date: ***Jun 18, 2007***

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency (MDEA) determined that it has not implemented a Facility Ratings Methodology addressing all of the items contained in Requirement R1 and sub-requirements thereof.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-008-1, Requirement R1, MDEA will undertake the following corrective measures:***

- 1. Prepare and adopt a written Facility Ratings Methodology. The Methodology, which shall be applicable to all solely and jointly owned facilities, shall include the following elements:***
  - a. A statement that a Facility Rating shall equal the most limiting applicable Equipment Rating of the individual equipment comprising a facility.***
  - b. The method by which the Rating is determined:***
    - i. The scope of equipment addressed shall include, but not be limited to, generators, transmission conductors, transformers, relay protective devices, terminal equipment, and series and shunt compensation devices.***
    - ii. The scope of Ratings addressed shall include, as a minimum, both Normal and Emergency Ratings.***
  - b. Consideration of the following:***
    - i. Ratings provided by equipment manufacturers,***
    - ii. Design criteria,***
    - iii. Ambient conditions,***
    - iv. Operating limitations, and***
    - v. Other assumptions.***
- 2. After the Facility Ratings Methodology has been adopted, MDEA shall send a letter (or similar communication) to its Reliability Coordinator, Transmission Operator, Transmission Planner, and Planning Authority advising that MDEA has established a documented Facility Ratings Methodology that shall be made available for inspection and technical review upon request. MDEA shall request that, in the event any of these entities wish to review the Facility Ratings Methodology, any written comments on the Methodology be provided within forty-five calendar days.***
- 3. In the event that MDEA's Reliability Coordinator, Transmission Operator, Transmission Planner, and/or Planning Authority provide written comments on the Methodology, MDEA shall respond (in writing) to such comments within forty-five days of receipt and, to the extent that changes are incorporated as a result of the comments, shall so advise. Alternatively, in the event that no changes are made, MDEA shall provide a description of its reasons for not modifying the Facility Ratings Methodology.***
- 4. After having completed Steps 1 through 3, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### **Mitigation Plan Timeline and Milestones**

#### **D.2**

**Southwest Power Pool RE**

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: **Apr 30, 2010**

**D.3**

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

| <b>Milestone Activity</b>   | <b>*Proposed Completion Date<br/>(Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|---|---|-------------------------------|
| Prepare and Adopt Facility Ratings Methodology (Step 1)           | Dec 31, 2009  |                               |
| Written Communication (Step 2)                                    | Jan 08, 2010  |                               |
| Written Response to Comments (Step 3)<br>45 days post-receipt     | Feb 26, 2010  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 4) | Apr 30, 2010  |                               |

(\*) 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.

**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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***There are minimal risks to the Bulk Electric System arising from this self-reported violation. MDEA's transmission facilities have ratings for normal and emergency conditions based upon applicable manufacturers' data, but MDEA has not developed a documented Facility Ratings Methodology or incorporated into its ratings the statement set forth at Requirement 1.1 or all of the elements included in Requirements R1.3.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place a documented Facility Ratings Methodology that has been and will continue to be available for review by entities potentially affected by these ratings.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**



CONFIDENTIAL NON-PUBLIC INFORMATION

Mrs. Tasha Ward  
Compliance Specialist II  
[tward@spp.org](mailto:tward@spp.org)

Southwest Power Pool Regional Entity  
415 N. McKinley, Ste 140  
Little Rock, AR 72205-3020  
P 501.688.1738  
F 501.821.8726

June 24, 2010

**BY E-MAIL**

Mr. Marvin Carraway  
Secretary  
Mississippi Delta Energy Agency  
P.O. Box 660  
Yazoo City, MS 93194  
[cpuadmin@cableone.net](mailto:cpuadmin@cableone.net)

**Re: NOTICE TO WITHDRAW MITIGATION PLAN COMPLETION NOTICE**

**Mississippi Delta Energy Agency: NCR06050**

NERC Violation Identification Number: **SPP200900128**  
For NERC Standard: **FAC-008-1 R1<sup>1</sup>**  
SPP RE Violation Identification Number: **2009-058**  
Mitigation Plan Number: **MIT-07-2087**  
Original Mitigation Plan Completion Date: **4/30/2010**

Dear Mr. Carraway,

During the June 14th-15th Compliance Audit of the Mississippi Delta Energy Agency (MDEA), the Southwest Power Pool Regional Entity (SPP RE) Audit Team discovered that MDEA's *Facility Ratings Methodology* was deficient with regards to generation facilities. This deficiency should have been identified and corrected during the SPP RE Enforcement completion review of the mitigation plan for violation SPP200900128. To address the correction of this possible Reliability Standard violation, the SPP RE proposes to reopen the mitigation plan for violation SPP200900128 and allow MDEA to correct the deficiency within the scope of mitigation plan MIT-07-2087. The SPP RE will not open a second violation of FAC-008-1 to address the SPP RE Audit Team's findings.

---

<sup>1</sup> This Alleged Violation includes sub requirements R1.1, R1.2, & R1.3.

Notice to Withdraw Mitigation Plan Completion Notice

Mississippi Delta Energy Agency

June 24, 2010

Page 2

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Accordingly, the SPP RE proposes to withdraw the Mitigation Plan Completion Notice sent on May 19, 2010, and extend the mitigation plan completion date of Mitigation Plan MIT-07-2087 to July 1, 2010, to allow MDEA to correct the deficiency. MDEA will be required to resubmit its corroborating evidence and a Mitigation Plan Completion Certification for MIT-07-2087.

If MDEA has any questions concerning the proposed disposition of this matter and/or contests the Audit Team's findings, please notify me as soon as possible.

Regards,

*Tasha Ward*

Tasha Ward

cc:

MDEA

Meg McNaul  
George Price

SPP RE

Stacy Dochoda  
Joe Gertsch  
Ron Ciesiel  
Enforcement

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE



## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

---

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **FAC-009-1 R1**

Description: ***The Transmission Owner and Generator Owner shall each establish Facility Ratings for its solely and jointly owned Facilities that are consistent with the associated Facility Ratings Methodology.***

Violation Date: **Jun 18, 2007**

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency ("MDEA") determined that its facility ratings are not documented in accordance with Requirement R1.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## **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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard FAC-009-1, Requirement R1, MDEA will undertake the following corrective measures:***

- 1. Following the adoption of a Facility Ratings Methodology for MDEA, prepare and adopt written Facility Ratings for all solely and jointly owned facilities in accordance with the Facility Ratings Methodology.***
- 2. Upon adoption of Facility Ratings, provide such Ratings to the Reliability Coordinator, Transmission Operator, Transmission Planner, and/or Planning Authority.***
- 3. If necessary, revise Facility Ratings in response to modifications to the Facility Ratings Methodology pursuant to comments by the Reliability Coordinator, Transmission Operator, Transmission Planner, and/or Planning Authority and provide revised Facility Ratings to same.***
- 4. After having completed Steps 1 through 3, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### **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: ***Apr 30, 2010***

#### **D.3**

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

| <b>Milestone Activity</b>  | <b>*Proposed Completion Date (Shall not be greater than 3 months apart)</b> | <b>Actual Completion Date</b> |
|--|---|-------------------------------|
| Prepare and Adopt Facility Ratings Methodology (See Step 1, Mitigation Plan ? Reliability Standard F | Dec 31, 2009  |                               |
| Prepare and Adopt Facility Ratings (Step 1)  | Feb 12, 2010  |                               |
| Provide Facility Ratings to Parties (Step 2)   | Feb 28, 2010  |                               |
| Revise and Circulate Revised Facility Ratings (Step 3)   | Apr 15, 2010  |                               |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 4)                                    | Apr 30, 2010  |                               |

(\*) 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.

### **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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***There are minimal risks to the Bulk Electric System arising from this self-reported violation. MDEA's transmission facilities have ratings for normal and emergency conditions that are based upon manufacturers' data, but MDEA has not fully documented its ratings for all applicable facilities.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place documented Facility Ratings that will have been established in accordance with MDEA's documented Facility Ratings Methodology and that will be reported to potentially affected entities in accordance with the schedule established by those entities***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**



## **Certification of a Completed Mitigation Plan**

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

---

### **Registered Entity Information**

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: October 27, 2009**

**Date Mitigation Plan was completed: 1 July, 2010**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Facility Ratings Methodology, FAC-008-1, R1**

**NERC Violation ID # (*if known*): SPP200900128**

**Date of Certification: 1 July, 2010**

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

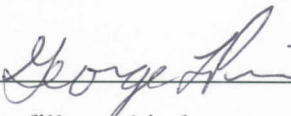
**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**



To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)

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## Certification of a Completed Mitigation Plan

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

---

### Registered Entity Information

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: October 27, 2009**

**Date Mitigation Plan was completed: 30 April, 2010**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Establish and Communicate Facility Ratings, FAC-009-1, R1**

**NERC Violation ID # (*if known*): SPP200900129**

**Date of Certification: 30 April, 2010**

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

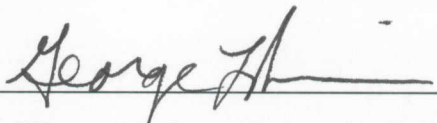
**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**



To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)



**CONFIDENTIAL NON-PUBLIC INFORMATION**

Ms. Tasha Ward  
Compliance Specialist II  
[tward@spp.org](mailto:tward@spp.org)

Southwest Power Pool Regional Entity  
415 N. McKinley, Ste 140  
Little Rock, AR 72205-3020  
P 501.688.1738  
F 501.821.8726

May 19, 2010

**VIA E-MAIL ONLY**

Mr. Marvin Carraway  
Secretary  
Mississippi Delta Energy Agency  
P.O. Box 660  
Yazoo City, Mississippi 39194  
[cpuadmin@cableone.net](mailto:cpuadmin@cableone.net)

**Re: MITIGATION PLAN COMPLETION NOTICE**

**Mississippi Delta Energy Agency: NCR06050**

NERC Violation Identification Number: **SPP200900128**  
NERC Standard: **FAC-008-1 R1**<sup>1</sup>  
SPP RE Violation Identification Number: **2009-058**  
Mitigation Plan Number: **MIT-07-2087**  
Mitigation Plan Completed: **4/30/2010**

NERC Violation Identification Number: **SPP200900129**  
NERC Standard: **FAC-009-1 R1**  
SPP RE Violation Identification Number: **2009-059**  
Mitigation Plan Number: **MIT-07-2088**  
Mitigation Plan Completed: **4/30/2010**

NERC Violation Identification Number: **SPP200900196**  
NERC Standard: **PRC-005-1 R2**  
SPP RE Violation Identification Number: **2009-126**  
Mitigation Plan Number: **MIT-07-2321**  
Mitigation Plan Completed: **4/30/2010**

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<sup>1</sup> This Alleged Violation includes sub requirements R1.1, R1.2, & R1.3.

Mitigation Plan Completion Notice

Mississippi Delta Energy Agency

May 19, 2010

Page 2

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Dear Mr. Carraway:

On April 30, 2010, respectively, the Southwest Power Pool Regional Entity (SPP RE) received Mississippi Delta Energy Agency's (MDEA) Certification of Mitigation Plan Completions for the subject mitigation plans. The SPP RE has completed its review of the evidence in support of completion of the mitigation plans. SPP RE finds MDEA has successfully completed its mitigation plans on the above referenced Mitigation Plan Completion dates.

If you have any questions, you may contact me at 501.688.1738 or [tward@spp.org](mailto:tward@spp.org).

Cordially,

*Tasha Ward*

Tasha Ward

TW/ms

cc: *(via e-mail only)*

MDEA

George Price

Meg McNaul

SPP RE

Stacy Dochoda

Enforcement



**CONFIDENTIAL NON-PUBLIC INFORMATION**

Ms. Tasha Ward  
Compliance Specialist II  
[tward@spp.org](mailto:tward@spp.org)

Southwest Power Pool Regional Entity  
415 N. McKinley, Ste 140  
Little Rock, AR 72205-3020  
P 501.688.1738  
F 501.821.8726

July 7, 2010

**VIA E-MAIL ONLY**

Mr. Marvin Carraway  
Secretary  
Mississippi Delta Energy Agency  
P.O. Box 660  
Yazoo City, Mississippi 39194  
[cpuadmin@cableone.net](mailto:cpuadmin@cableone.net)

**Re: MITIGATION PLAN COMPLETION NOTICE**

**Mississippi Delta Energy Agency: NCR06050**

NERC Violation Identification Number: **SPP200900128**

NERC Standard: **FAC-008-1 R1<sup>1</sup>**

SPP RE Violation Identification Number: **2009-058**

Mitigation Plan Number: **MIT-07-2087**

Mitigation Plan Completed: **7/01/2010**

Dear Mr. Carraway:

On July 1, 2010, the Southwest Power Pool Regional Entity (SPP RE) received Mississippi Delta Energy Agency's (MDEA) Certification of Mitigation Plan Completion for the subject mitigation plan. The SPP RE has completed its review of the evidence in support of completion of the mitigation plan. SPP RE finds MDEA has successfully completed its mitigation plan on July 1, 2010.

If you have any questions, you may contact me at 501.688.1738 or [tward@spp.org](mailto:tward@spp.org).

Cordially,

*Tasha Ward*

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<sup>1</sup> This Alleged Violation includes sub requirements R1.1, R1.2, & R1.3.

Notice of Mitigation Plan Completion

Mississippi Delta Energy Agency

July 7, 2010

Page 2

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Tasha Ward

TW/ms

cc: *(via e-mail only)*

MDEA

George Price

Meg McNaul

Bob Priest

SPP RE

Stacy Dochoda

Enforcement

## Attachment e

### Record documents for PRC-005-1 R1 and R2

- 1. MDEA's Self-Report for PRC-005-1 R1 dated August 14, 2009**
- 2. MDEA's Self-Report for PRC-005-1 R2 dated January 8, 2010**
- 3. MDEA's Mitigation Plan for PRC-005-1 R1 dated October 27, 2009**
- 4. MDEA's Mitigation Plan for PRC-005-1 R2 dated January 26, 2010**
- 5. MDEA's Certification of Mitigation Plan Completion for PRC-005-1 R1 dated December 29, 2009**
- 6. MDEA's Certification of Mitigation Plan Completion for PRC-005-1 R2 dated April 30, 2010**
- 7. SPP RE's Verification of Mitigation Plan Completion for PRC-005-1 R1 dated January 22, 2010 (*see Attachment b-6*)**
- 8. SPP RE's Verification of Mitigation Plan Completion for PRC-005-1 R2 dated May 19, 2010 (*see Attachment d-8*)**

# SPP Self Report

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**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** August 14, 2009

**Reliability Standard and Requirement(s):** PRC-005-1, R1

## 1. Requirement R1

- Alleged Violation Description and Cause: During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency (“MDEA”) determined that its transmission Protection System maintenance and testing program was not documented.
- Potential Impact to Bulk Electric System: MDEA believes that the potential risks to the reliability of the Bulk Electric System arising from this self-reported violation are minimal. The transmission Protection Systems installed on MDEA transmission facilities have been tested and maintained, but MDEA has not documented its program for performing testing and maintenance activities.



# SPP Self Report

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**Registered Entity Name:** Mississippi Delta Energy Agency

**Registered Entity NERC Identification No.:** NCR06050

**Submitted:** January 8, 2010

**Reliability Standard and Requirement(s):** PRC-005-1, R2

## 1. Requirement R2

Alleged Violation Description and Cause: On December 4, 2009, the Mississippi Delta Energy Agency (“MDEA”) implemented a Protection System testing and maintenance program for MDEA’s transmission Protection System devices, including transmission relays and associated communication systems, voltage and current sensing devices, station batteries, and DC control circuitry pursuant to a mitigation plan accepted by the North American Electric Reliability Corporation (“NERC”) on December 18, 2009. As required by PRC-005-1, R1, this program contains testing and maintenance intervals. As to certain devices included within the scope of MDEA’s program, the period of time since the most recent testing/ maintenance took place exceeds the intervals specified in the new program. Such devices are identified as follows:

- Transmission Protective Relay – Lockout (Id. 86TTP/ MLSS)
  - Communications Equipment – RFL-6780P/PLC (4 devices)
  - Station Batteries – New Switch Yard (Model 4JC100)
  - DC Circuitry Device # 2230-2
  - DC Circuitry Device # 2230-5
- Potential Impact to Bulk Electric System: MDEA believes that potential risks to the reliability of the Bulk Electric System arising from this self-reported violation are minimal. MDEA’s Protection System equipment is continuously monitored through software that will generate an alarm in the event of a problem affecting the operability of the Protection System device. This would permit immediate action to be taken in order to address the issue with the Protection System and thereby ensure that the reliability and operability of the Bulk Electric System remains unaffected.

## **Mitigation Plan**

Mitigation Plan submitted on: **Oct 27, 2009**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

---

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 660, Yazoo City, Mississippi 39194, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **PRC-005-1 R1**

Description: ***Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall have a Protection System maintenance and testing program for Protection Systems that affect the reliability of the BES. The program shall include:***

Violation Date: ***Jun 18, 2007***

### **C.2**

Identify the cause of the violation(s) identified above:

***During an internal compliance review conducted in July 2009, the Mississippi Delta Energy Agency (MDEA) determined that its transmission Protection System maintenance and testing program was not documented.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

## 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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard PRC-005-1, Requirement R1, MDEA will undertake the following corrective measures:***

- 1. Identify transmission Protection System equipment and determine the date(s) of the most recent testing and/or maintenance.***
- 2. Establish an interval for performing testing and maintenance on all identified equipment.***
- 3. Prepare and adopt a written Transmission Protection System Testing and Maintenance Program. The Program shall include the following elements:***
  - a. Identification of equipment subject to the Program,***
  - b. Maintenance and testing intervals and an explanation of the basis for each interval,***
  - c. Summaries of maintenance and testing procedures, and***
  - d. Testing and maintenance schedules.***
- 4. Distribute the Program to operations and/or maintenance personnel responsible for implementation of the Program.***
- 5. After having completed Steps 1 through 4, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

### 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: ***Dec 31, 2009***

#### D.3

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

| Milestone Activity   | *Proposed Completion Date<br>(Shall not be greater than 3 months apart) | Actual Completion Date |
|--|---|------------------------|
| Equipment Identification (Step 1)  | Oct 30, 2009  |                        |
| Determination of Testing/Maintenance Interval (Step 2)                       | Oct 30, 2009  |                        |
| Prepare and Adopt Protection System Maintenance and Testing Program (Step 3) | Dec 04, 2009  |                        |
| Program Distribution (Step 4)  | Dec 04, 2009  |                        |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 5)            | Dec 31, 2009  |                        |

(\*) 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.

**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:



## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***MDEA believes that the potential risks to the Bulk Electric System arising from this self-reported violation are minimal. The transmission Protection System equipment installed on MDEA transmission facilities has been tested and maintained, but MDEA's program for performing such maintenance and testing is not documented.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have in place documented procedures for testing and maintaining transmission Protection System equipment, a schedule for future testing and maintenance activities, and a baseline set of testing and maintenance results. While, as discussed above, MDEA believes that the potential risks to the reliability of the Bulk Electric System created by this self-reported violation are minimal, completion of the steps described herein will fully mitigate those risks.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Oct 27, 2009**

## **Mitigation Plan**

Mitigation Plan submitted on: **Jan 26, 2010**

Mitigation Plan Completed (Yes/No):

Mitigation Plan Completed On:

Southwest Power Pool RE Confidential Non Public Information

## **Section A: Compliance Notices**

• Section 6.2 of the NERC CMEP<sup>1</sup> 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 B.

(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).

(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 or recommended to the applicable governmental authorities for not completing work associated with accepted milestones.<sup>2</sup>

(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.

(11) This submittal form may be used to provide a required Mitigation Plan for review and approval by regional entity(ies) and NERC.

• The Mitigation Plan shall be submitted to the regional entity(ies) and NERC as confidential information in accordance with Section 1500 of the NERC Rules of Procedure.

1. Uniform Compliance Monitoring and Enforcement Program ("NERC CMEP") 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.) Or the North American Electric Reliability Corporation Compliance Monitoring and Enforcement Program – Province of Manitoba, Schedule "B" to the Interim Agreement on Compliance Monitoring and Enforcement in Manitoba between NERC, the Regional Entity, and Manitoba Hydro (available upon request from the Regional Entity).

2. Implementation milestones that precede the date that a Mitigation Plan becomes effective in Manitoba will be considered to be extended until the date that the Mitigation Plan becomes effective.

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- This Mitigation Plan form may be used to address one or more related alleged or confirmed violations of one Reliability Standard. A separate mitigation plan is required to address alleged or confirmed violations with respect to each additional Reliability Standard, as applicable.
- If the Mitigation Plan is accepted by regional entity(ies) and approved by NERC, a copy of this Mitigation Plan will be provided to the Federal Energy Regulatory Commission or filed with the applicable governmental authorities for approval in Canada.
- Regional Entity(ies) 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.
- The user has read and accepts the conditions set forth in these Compliance Notices.

## **Section B: Registered Entity Information**

### **B.1**

Identify your organization:

Entity Name: **Mississippi Delta Energy Agency**

Address: **P.O. Box 70, 416 Third Street, Clarksdale, Mississippi 38614, United States**

NERC Compliance Registry ID: *[If known]* **NCR06050**

### **B.2**

Identify the individual in your organization who will serve as the Contact to Regional Entity regarding this Mitigation Plan. This person shall be technically knowledgeable regarding this Mitigation Plan and authorized to respond to Regional Entity regarding this Mitigation Plan.:

Name: **George Price**

Title: **Regulatory Compliance**

Email: **cpumshop@cablone.net**

Phone: **662-902-4860**

## **Section C: Identity of Reliability Standard Violation associated with this Mitigation Plan**

### **C.1**

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

Standard Requirement: **PRC-005-1 R2**

Description: ***Each Transmission Owner and any Distribution Provider that owns a transmission Protection System and each Generator Owner that owns a generation Protection System shall provide documentation of its Protection System maintenance and testing program and the implementation of that program to its Regional Reliability Organization on request (within 30 calendar days). The documentation of the program implementation shall include:***

Violation Date: ***Jun 18, 2007***

### **C.2**

Identify the cause of the violation(s) identified above:

***On December 4, 2009, the Mississippi Delta Energy Agency (MDEA) implemented a Protection System testing and maintenance program for MDEA's transmission Protection System devices, including transmission relays and associated communication systems, voltage and current sensing devices, station batteries, and DC control circuitry pursuant to a mitigation plan accepted by the North American Electric Reliability Corporation (NERC) on December 18, 2009. As required by PRC-005-1, R1, this program contains testing and maintenance intervals. As to certain devices included within the scope of MDEA's program, the period of time since the most recent testing/ maintenance took place exceeds the intervals specified in the new program.***

### **C.3**

Provide any relevant information regarding the violations associated with this Mitigation Plan: *[If known]*

**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 violation(s) identified above in Section C.1 of this form:

***In order to correct self-reported violations of NERC Reliability Standard PRC-005-1, Requirement R2, MDEA will undertake the following corrective measures:***

- 1. Identify transmission Protection System equipment for which testing and/ or maintenance (consistent with MDEAs Transmission Protection System Testing and Maintenance Program) is necessary.***
  
- 2. Determine which testing and maintenance activities will be performed on behalf of MDEA by personnel employed by its member, the City of Clarksdale, Mississippi, Clarksdale Public Utilities Commission (Clarksdale), and which testing and maintenance activities will require the services of a contractor to perform testing and/ or maintenance.***
  
- 3. As to transmission Protection System equipment that will be tested/ maintained by Clarksdale personnel, complete such testing and maintenance activities and document completion of same.***
  
- 4. As to transmission Protection System equipment for which a contractor will be engaged to complete testing and maintenance, establish a schedule for completion of required testing and maintenance activities and oversee contractors completion of same.***
  
- 5. Obtain documentation of completion of testing and maintenance activities from contractor.***
  
- 6. After having completed Steps 1 through 5, submit the completed Mitigation Plan form and supporting evidence of completion to the SPP Regional Entity.***

**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: ***Apr 30, 2010***

**D.3**

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

| Milestone Activity   | *Proposed Completion Date (Shall not be greater than 3 months apart) | Actual Completion Date |
|--|--|------------------------|
| Equipment Identification (Step 1)                            | Feb 01, 2010   |                        |
| Allocation of Testing/ Maintenance Responsibilities (Step 2) | Feb 01, 2010   |                        |



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|   |              |  |
|---|--------------|--|
| Completion and Documentation of Clarksdale-Assigned Testing/ Maintenance (Step 3) | Mar 01, 2010 |  |
| Completion of Contractor-Assigned Testing/ Maintenance (Step 4)                   | Apr 15, 2010 |  |
| Documentation of Contractor-Assigned Testing/ Maintenance (Step 5)                | Apr 15, 2010 |  |
| Complete Mitigation Plan Evidence to SPP Regional Entity (Step 6)                 | Apr 30, 2010 |  |

(\*) 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.

**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:

## **Section E: Interim and Future Reliability Risk**

### **Abatement of Interim BPS Reliability Risk**

#### **E.1**

While your organization is implementing the Mitigation Plan proposed in Section 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:

***MDEA believes that potential risk to the reliability of the Bulk Electric System arising from this self-reported violation is minimal. MDEA's Protection System equipment is continuously monitored through software that will generate an alarm in the event of a problem affecting the operability of the Protection System device. This would permit immediate action to be taken in order to address the issue with the Protection System and thereby ensure that the reliability and operability of the Bulk Electric System remain unaffected.***

### **Prevention of Future BPS Reliability Risk**

#### **E.2**

Describe how successful completion of the Mitigation Plan as laid out in Section 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:

***Upon completion of this Mitigation Plan, MDEA will have documentation of recent testing and maintenance activities for all of its transmission Protection System equipment consistent with its Transmission Protection System Testing and Maintenance Program. While, as discussed above, MDEA believes that the potential risks to the reliability of the Bulk Electric System created by this self-reported violation are minimal, completion of the steps described herein will fully mitigate those risks.***

#### **E.3**

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

## **Section F: Authorization**

An authorized individual must sign and date the signature page. By doing so, this individual, on behalf of your organization:

- (a) Submits the Mitigation Plan, as laid out in Section D, to the Regional Entity for acceptance 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 **Secretary of Mississippi Delta Energy Agency**.
  - 2. I am qualified to sign this Mitigation Plan on behalf of **Mississippi Delta Energy Agency**.
  - 3. I have read and understand **Mississippi Delta Energy Agency's** 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 and the NERC CMEP currently in effect or the NERC CMEP-Province of Manitoba, Schedule B currently in effect, whichever is applicable.
  - 4. I have read and am familiar with the contents of the foregoing Mitigation Plan.
  - 5. **Mississippi Delta Energy Agency** agrees to be bound by, and comply with, this Mitigation Plan, including the timetable completion date, as accepted by the Regional Entity, NERC, and if required, the applicable governmental authorities in Canada.

**Authorized Individual Signature** \_\_\_\_\_

(Electronic signature was received by the Regional Office via CDMS. For Electronic Signature Policy see CMEP.)

Name: **Marvin Carraway**

Title: **Secretary**

Authorized On: **Jan 26, 2010**



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## Certification of a Completed Mitigation Plan

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

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### Registered Entity Information

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: October 27, 2009**

**Date Mitigation Plan was completed: 29 December, 2009**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Transmission and Generation Protection System Maintenance and Testing, PRC-005-1, R1**

**NERC Violation ID # (*if known*): SPP200900130**

**Date of Certification: December 29, 2009**

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

**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**

A handwritten signature in black ink, appearing to read "George L. Price", written over a horizontal line.

To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)

## **Certification of a Completed Mitigation Plan**

All Mitigation Plan Completion Certification submittals shall include data or information sufficient for SPP RE to verify completion of the Mitigation Plan. SPP RE 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)

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### **Registered Entity Information**

Company Name: Mississippi Delta Energy Agency

Company Address: P.O. Box 70, 416 Third Street, Clarksdale, MS 38614

NERC Compliance Registry ID (*if known*): NCR06050

**Date Original Mitigation Plan was submitted to SPP RE: January 26, 2010**

**Date Mitigation Plan was completed: 30 April, 2010**

**Name of Standard and the Requirement(s) covered under the accepted Mitigation Plan:  
Transmission and Generation Protection System Maintenance and Testing, PRC-005-1, R2**

**NERC Violation ID # (*if known*): SPP201000196**

**Date of Certification: 30 April, 2010**

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

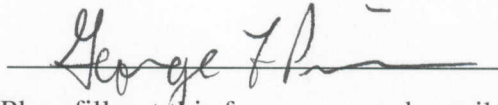
**Name: George L. Price**

**Title: Regulatory Compliance Officer**

**Email: cpumshop@cableone.net**

**Phone: 662-902-4860**

**Authorized Individual Signature**



To close out a completed Mitigation Plan, fill out this form, save and email it to:  
[SPP\\_Regional\\_Entity\\_File\\_Clerk@spp.org](mailto:SPP_Regional_Entity_File_Clerk@spp.org)

**Attachment f**

**Notice of Filing**

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Mississippi Delta Energy Agency

Docket No. NP11-\_\_\_\_-000

NOTICE OF FILING  
December 22, 2010

Take notice that on December 22, 2010, the North American Electric Reliability Corporation (NERC) filed a Notice of Penalty regarding Mississippi Delta Energy Agency in the Southwest Power Pool Regional Entity region.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, D.C. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: [BLANK]

Kimberly D. Bose,  
Secretary