



DECISION

IN THE MATTER OF an Application by New Brunswick Power Corporation pursuant to the *Electricity Act* and with respect to Reliability Standards CIP-002, CIP-003, CIP-004, CIP-005, CIP-006, CIP-007, CIP-008, CIP-009, CIP-010, and CIP-011
(Matter 246)

June 25, 2014

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

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NEW BRUNSWICK ENERGY AND UTILITIES BOARD:

Chairman: Raymond Gorman, Q.C.

Members: Michael Costello
Patrick Ervin

Counsel: Ellen Desmond

Chief Clerk: Kathleen Mitchell

APPLICANT:

New Brunswick Power Corporation

INTERVENORS:

There were no intervenors

Introduction

The New Brunswick Power Corporation (NB Power) filed an application and supporting evidence with the New Brunswick Energy and Utilities Board (Board) pursuant to the *Electricity Act* and the *Reliability Standards Regulation* (Regulation) seeking the following approval:

- (1) approving modifications of Board approved reliability standard CIP-002-4 by approving new version CIP-002-5.1 and NB Appendix CIP-002-5.1-NB-0,
- (2) approving retirement of existing Board approved reliability standard CIP-002-4,
- (3) approving retirement of existing Board approved reliability standard CIP-002-3,
- (4) approving modifications of Board approved reliability standard CIP-003-4 by approving new version CIP-003-5 and NB Appendix CIP-003-5-NB-0,
- (5) approving retirement of existing Board approved reliability standard CIP-003-4,
- (6) approving retirement of existing Board approved reliability standard CIP-003-3,
- (7) approving modifications of Board approved reliability standard CIP-004-4a by approving new version CIP-004-5.1 and NB Appendix CIP-004-5.1-NB-0,
- (8) approving retirement of existing Board approved reliability standard CIP-004-4a,
- (9) approving retirement of existing Board approved reliability standard CIP-004-3a,
- (10) approving modifications of Board approved reliability standard CIP-005-4a by approving new version CIP-005-5 and NB Appendix CIP-005-5-NB-0,
- (11) approving retirement of existing Board approved reliability standard CIP-005-4a,

- (12) approving retirement of existing Board approved reliability standard CIP-005-3a,
- (13) approving modifications of Board approved reliability standard CIP-006-4c by approving new version CIP-006-5 and NB Appendix CIP-006-5-NB-0,
- (14) approving retirement of existing Board approved reliability standard CIP-006-4c,
- (15) approving retirement of existing Board approved reliability standard CIP-006-3c,
- (16) approving modifications of Board approved reliability standard CIP-007-4a by approving new version CIP-007-5 and NB Appendix CIP-007-5-NB-0,
- (17) approving retirement of existing Board approved reliability standard CIP-007-4a,
- (18) approving retirement of existing Board approved reliability standard CIP-007-3a,
- (19) approving modifications of Board approved reliability standard CIP-008-4 by approving new version CIP-008-5 and NB Appendix CIP-008-5-NB-0,
- (20) approving retirement of existing Board approved reliability standard CIP-008-4,
- (21) approving retirement of existing Board approved reliability standard CIP-008-3,
- (22) approving modifications of Board approved reliability standard CIP-009-4 by approving new version CIP-009-5 and NB Appendix CIP-009-5-NB-0,
- (23) approving retirement of existing Board approved reliability standard CIP-009-4,
- (24) approving retirement of existing Board approved reliability standard CIP-009-3
- (25) approving reliability standard CIP-010-1 and NB Appendix CIP-010-1-NB-0, and
- (26) approving reliability standard CIP-011-1 and NB Appendix CIP-011-1-NB-0.

The original application and evidence were filed on April 4, 2014. The evidence was revised and refiled on April 8, 2014.

Further to an Order of the Board dated April 9, 2014, the application and evidence were posted on the Board's website. In addition, the Board Order and Notice of this Matter was sent electronically to all registered entities, North American Electric Reliability Corporation (NERC) and the Northeast Power Coordinating Council (NPCC). Interested parties were invited to submit comments to the Board in writing on or before June 9, 2014.

Approval of Standards

Pursuant to section 8 of the Regulation, the Board is directed to approve a reliability standard as follows:

8(3) As soon as practicable after the expiry of the comment period under subsection (2), the Board shall approve a reliability standard, together with any non-substantive modifications that it considers appropriate,

(a) if the Corporation made no recommendation in the application under subsection 7(2) for any substantive modification to the reliability standard as approved by FERC, and

(b) if, during the comment period under subsection (2), there were no substantive comments submitted to the Board by a registered entity, the standards body or the compliance body.

In this case, NB Power is seeking approval of reliability standard CIP-010-1 and NB Appendix CIP-010-1-NB-0 and approval of reliability standard CIP-011-1 and NB Appendix CIP-011-1-NB-0.

NB Power submits that it is not recommending any substantive modifications to the standards as approved by FERC. The Board agrees that the modifications are not substantive. Further, no comments were received by the Board from any interested party.

Modification to Standards

Pursuant to section 8 of the Regulation, the Board is directed to approve modifications to an approved reliability standard as follows:

8(4) As soon as practicable after the expiry of the comment period under subsection (2), the Board shall approve modifications to an approved reliability standard that are recommended by the Corporation in an application under subsection 7(3) or paragraph 7(5)(a)

(a) if the recommended modifications are not substantively different from revisions approved by FERC to the equivalent reliability standard, and

(b) if, during the comment period under subsection (2), there were no substantive comments submitted to the Board by a registered entity, the standards body or the compliance body.

In this case, NB Power submits that the proposed modifications to Reliability Standards CIP-002-4, CIP-003-4, CIP-004-4a, CIP-005-4a, CIP-006-4c, CIP-007-4a, CIP-008-4 and CIP-009-4 are not substantially different from revisions approved by FERC to the equivalent reliability standards. The Board agrees. Further, no comments were received by the Board from any interested party.

Retirement of Standard

Pursuant to section 8 of the Regulation the Board is directed to retire an approved reliability standard as follows:

8(5) As soon as practicable after the expiry of the comment period under subsection (2), the Board shall retire an approved reliability standard

(a) if the application under subsection 7(4) or paragraph 7(5)(b) indicates the date on which FERC approved the retirement of the equivalent reliability standard, and

(b) if, during the comment period under subsection (2), there were no substantive comments submitted to the Board by a registered entity, the standards body or the compliance body.

NB Power submits that, with respect to Reliability Standard CIP-002-4, CIP-002-3, CIP-003-4, CIP-003-3, CIP-004-4a, CIP-004-3a, CIP-005-4a, CIP-005-3a, CIP-006-4c, CIP-006-3c, CIP-007-4a, CIP-007-3a, CIP-008-4, CIP-008-3, CIP-009-4, CIP-009-3, FERC approved the retirement of equivalent standards on February 3, 2014. Again, no comments were received from any interested parties.

Conclusion

The Board has carefully considered the application and the evidence. The Board is satisfied that NB Power has met the requirements of the Regulation and that the requested approvals, requested modifications and the requested retirement of the standards described above are both warranted and appropriate.

With the Board's approval to retire Reliability Standards CIP-003-3, CIP-003-4, CIP-005-3a, CIP-005-4a, CIP-007-3a and CIP-007-4a the Board in this decision directs NB Power to submit an application for the retirement of the corresponding NB Appendices: CIP-003-3-NB-0, CIP-003-4-NB-0, CIP-005-3a-NB-0, CIP-005-4a-NB-0, CIP-007-3a-NB-0 and CIP-007-4a-NB-0 at their earliest convenience.

For clarity, it is noted that Version 4 of the various CIP standards are retired immediately while Version 3 of the CIP standards will be retired upon the coming into effect of Version 5 of the same CIP standards.

The Board approves the application as requested.

Dated at the City of Saint John, New Brunswick this 25th day of June, 2014.



Raymond Gorman, Q.C., Chairman



Michael Costello, Member



Patrick Ervin, Member