

April 24, 2020

VIA ELECTRONIC FILING

Veronique Dubois
Régie de l'énergie
Tour de la Bourse
800, Place Victoria
Bureau 255
Montréal, Québec H4Z 1A2

Re: *North American Electric Reliability Corporation COVID-19 Compliance Response*

Dear Ms. Dubois:

In recent weeks, the North American Electric Reliability Corporation (NERC), the Regional Entities, and the Régie de l'énergie have taken a series of measures to help ensure grid reliability amid the impacts posed by the coronavirus (COVID-19) outbreak, a public health emergency that is unprecedented in modern times. These measures have been taken in recognition of the critical importance of the reliability of the North American energy sector and the steps that registered entities are taking to maintain the health and safety of their workforce and communities.

On March 18, 2020, NERC, with the U.S. Federal Energy Regulatory Commission (FERC), issued a statement stating that they would use regulatory discretion to consider the impact of the coronavirus outbreak in complying with Reliability Standards involving personnel certification and periodic actions and postponing on-site compliance and certification activities.¹ On March 23, 2020, the Régie de l'énergie and the Northeast Power Coordinating Council (NPCC) provided similar guidance to the Quebec registered entities subject to Reliability Standards.² Additionally, NERC has determined that it will consider the coronavirus outbreak an extenuating circumstance under its *Sanction Guidelines* for all instances of noncompliance where the impacts of the outbreak, such as impacts on workforce availability or the supply chain, were a cause or contributing factor to the noncompliance.

¹ See Joint U.S. Federal Energy Regulatory Commission and NERC Press Release, *FERC, NERC Provide Industry Guidance to Ensure Grid Reliability Amid Potential Coronavirus Impacts* (Mar. 18, 2020), <https://www.ferc.gov/media/news-releases/2020/2020-1/03-18-20.pdf>.

² The guidance is available here: <http://www.regie-energie.qc.ca/en/audiences/NormesFiabiliteTransportElectricite/QuoiNeuf.html>.

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In addition to these measures, NERC filed a motion with the FERC on April 6, 2020 to defer the implementation, by three to six months, of those Reliability Standards scheduled to become effective in the United States in whole or in part during the second half of 2020.³ FERC granted that motion on April 17, 2020.

In its April 6 Motion to the FERC, NERC stated that in order to establish compliance with these Reliability Standards by their scheduled effective or phased-in implementation dates, registered entities would need to expend significant effort and resources in the coming months toward establishing and implementing the necessary processes and procedures, conducting the necessary coordination, and establishing documentation of compliance. In some cases, supply chain, travel, or workforce disruptions may have temporarily impacted an entity's ability to perform the work or conduct any needed training. By providing for additional time and flexibility to establish compliance with new obligations, entities could continue to focus their immediate efforts and resources on maintaining the safety of their workforces and communities and ensuring the reliability of the grid during this public health emergency.

NERC provides notice of this April 6 Motion on an informational basis to the Régie de l'énergie. NERC is willing to assist in the event the Régie de l'énergie would like to consider a three-to-six month delay, or other delay it deems appropriate, for any of the Reliability Standards coming into effect in whole or in part in the second half of 2020 in Québec. According to NERC's records, these Reliability Standards include:

- MOD-031-2 (effective as of April 1, 2020), which goes into effect on July 1, 2020 for Distribution Provider functions;
- MOD-025-2 (already in effect) - goes from 80% to 100% applicable on October 1, 2020;
- MOD-026-1 (already in effect) – Requirement R2 has 30% applicability on October 1, 2020;
- MOD-027-1 (already in effect) – Requirement R2 has 30% applicability on October 1, 2020;
- PRC-002-2 – (already in effect) - Requirements R2 through R4 and R6 through R11 have a 50% applicability by October 1, 2020; and
- PRC-019-1 – (already in effect) - goes from 80% (or 75%) to 100% applicable on October 1, 2020.

³ See NERC, Motion to Defer Implementation of Reliability Standards and Request for Shortened Response Period and Expedited Action, filed in U.S. FERC Docket Nos. RM15-4-000, RM16-22-000, RM17-13-000, and RD18-4-000 (Apr. 6, 2020), available at <https://www.nerc.com/FilingsOrders/us/NERC%20Filings%20to%20FERC%20DL/Motion%20to%20Defer%20Implementation%20of%20Reliability%20Standards.pdf>. In the filing, NERC requested deferring the implementation of the following standards: (1) Supply Chain Standards, Reliability Standards CIP-005-6, CIP-010-3, and CIP-013-1; (2) Reliability Standards PER-006-1 – Specific Training for Personnel and PRC-027-1 – Coordination of Protection Systems for Performance During Faults, along with the revised definitions of Real-time Assessment and Operational Planning Analysis; (3) Reliability Standard PRC-002-2 – Disturbance Monitoring and Reporting Requirements, which became effective in the United States on July 1, 2016, but for which entities are scheduled to establish 50% compliance with Requirements R2-R4 and R6-R11 by July 1, 2020 in accordance with the phased-in implementation plan; and (4) Reliability Standard PRC-025-2 – Generator Relay Loadability, which became effective in the United States on July 1, 2018, but for which entities are scheduled to establish compliance with certain Options in Attachment 1, Table 1 Relay Loadability Evaluation Criteria by July 1, 2020 in accordance with the phased-in implementation plan.

To the extent that there are other Reliability Standards scheduled to go into effect in whole or in part in the second half of 2020 in Québec, NERC requests that the Régie de l'énergie also consider a three-to-six month delay, or other delay it deems appropriate, for such standards.⁴

NERC requests, to the extent necessary, a waiver of any applicable filing requirements with respect to this filing. Please contact Ms. Lauren Perotti, NERC Senior Counsel (lauren.perotti@nerc.net) or Ms. Marisa Hecht, NERC Counsel, (marisa.hecht@nerc.net) if you have any questions.

Respectfully submitted,

/s/ Lauren Perotti

Lauren Perotti
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⁴ On this date, NERC has also submitted to each of the other relevant Canadian provincial authorities a letter identifying Reliability Standards coming into effect in their respective province in the second half of 2020 and offering assistance in considering a three-to-six month delay, or other delay it deems appropriate.