

**NERC**

NORTH AMERICAN ELECTRIC  
RELIABILITY CORPORATION

# **DRAFT** TPL-007-4 **CAP Extension Request Review Process**

RELIABILITY | RESILIENCE | SECURITY



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# Introduction

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## Background

This Electric Reliability Organization (ERO) Enterprise<sup>1</sup> TPL-007-4 Corrective Action Plan (CAP) Extension Review Process document addresses how ERO Enterprise Compliance Monitoring and Enforcement staff (CMEP staff) will jointly review requests for extensions to ~~Corrective Action Plans (CAPs)~~ developed under TPL-007-4 to ensure a timely, structured and consistent approach to CAP extension request submittals and processing.

NERC Compliance Assurance will maintain this document under existing ERO Enterprise processes. This document will be reviewed and updated by NERC Compliance Assurance, as needed.

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<sup>1</sup> The ERO Enterprise is comprised of NERC and the Regional Entities.

## Process Overview

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If a registered entity (entity) has determined that a Corrective Action Plan (CAP) developed in accordance with TPL-007-4 Requirements R7 or R11 cannot be met in the timetable provided per R7 Part 7.3 or R11 Part 11.3 due to situations beyond the control of the responsible entity, then the entity will submit an extension request to the ERO Enterprise in Compliance Enforcement Authority (CEA) and NERC for approval prior to the original required CAP completion date.

The steps outlined here should be followed to ensure a timely, structured and consistent approach to extension request submittals and processing.

The entity will work with the Regional Entity designated as its CEA as outlined in this process. The entity submitting the extension request will be referred to as the 'submitting entity' and may represent only itself or multiple registered entities who have developed a joint extension request. The submitting entity is responsible for ensuring all registered entities who are jointly submitting the extension request are listed in the requested information below and for distributing any communications from its CEA to the other entities that are part of the joint extension request. If a joint extension request is submitted for multiple registered entities who have different Regional Entities designated as the CEA, the submitting entity's CEA will perform the steps outlined in this process and will be responsible for coordinating with the Regional Entity(ies) that are the designated CEA for the additional entities party to the joint extension request.

For entities in Coordinated Oversight, the CEA for this process is the Lead Regional Entity (LRE). The LRE will coordinate with the Affected Regional Entity(ies) (ARE) and the AREs may participate in the joint review as well.

### Step 1 – Registered Entity Submittal

If a registered entity (entity) determines that it cannot meet the required timetable for completing a CAP, the submitting entity will contact their Compliance Enforcement Authority (CEA) to coordinate submittal of an extension request. The submitting entity should will submit the request to their CEA using the template provided in **Appendix A: Entity Submittal Template** or through an alternate method designated by the CEA that includes the same information.

Entities are encouraged to submit the extension request as soon as they are aware they will not meet the CAP completion date but no later than 60 days before the original required completion date to allow the ERO Enterprise CEA and NERC time to approve the extension request before the original required completion date.

All CAP extension requests must be approved by the ERO Enterprise prior to original required CAP completion date. If CAP extension requests are submitted less than 60 days before the original required completion date, the CEA and NERC may not have sufficient time to review the extension request before the required completion date. This could cause the entity not to meet its obligations under TPL-007-4 R7 Part 7.3 and R11 Part 11.3. It is the submitting entity's responsibility to ensure that all information detailed in TPL-007-4 Part 7.4 or 11.4 and requested in the Entity Submittal Template is provided in the entity's extension request submittal to facilitate the CEA and NERC review.

### Step 2 – ERO Enterprise Review

The CEA will acknowledge receipt of the submission in writing within 15 days and review ensure that all information detailed in TPL-007-4 R7 Part 7.4 or R11 Part 11.4 and requested in the Entity Submittal Template is provided in the submitting entity's extension request submittal. The CEA will work with the submitting entity to provide any missing information and will notify NERC of the extension request submittal when acknowledging receipt of the submission.

~~The CEA will notify NERC of the extension request submittal. CMEP staff from The the~~ CEA and NERC will then perform a joint review of (1) the situation(s) beyond the control of the entity preventing implementation of the CAP within the identified timetable; and (2) the revisions to the CAP and updated timetable for implementing the selected actions. Any additional information requested ~~by the ERO Enterprise~~ to support the extension request review will be coordinated with the submitting entity by the CEA. The CEA and NERC will complete the review within 45 days or provide notification to the submitting entity that it extending the time needed for review.

The Standard language states that an entity will submit an extension request for a full or partial delay in the implementation of the CAP within the timetable provided in TPL-007-4 R7 Part 7.3 or R11 Part 11.3. ~~The CEA and NERC will~~The determination whether to approve the extension request will be based on the specific facts and circumstances provided as to how the situations causing the delay in completing the CAP are beyond the control of the entity.

Examples of situations beyond the control of the responsible entity include, but are not limited to:

- Delays resulting from regulatory/legal processes, such as permitting;
- Delays resulting from stakeholder processes required by tariff;
- Delays resulting from equipment lead times; or
- Delays resulting from the inability to acquire necessary Right-of-Way.

Due diligence to order equipment, plan Right-of-Ways, obtain permits, etc., will be considered as part of the determination of whether a particular set of facts and circumstances constitute situations beyond the control of the entity. Additionally, cost may be a factor in whether a particular set of facts and circumstances constitute situations that are beyond the control of the entity. However, the cost of mitigation alone is not likely to be determined to be a situation that is beyond the control of the entity.

### **Step 3 – Registered Entity Notification**

The CEA will communicate the ~~ERO Enterprise~~ approval or denial of the extension request or continuation of the time needed to review the extension request in writing to the submitting entity ~~along with~~including the rationale for the determination. For any continuation of the review, the CEA will also provide the submitting entity a revised timeline for when the determination will be provided.

## Appendix A: Entity Submittal Template

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**[Will be formatted into a form for submission that includes the following information]**

Submitting Entity name:

Submitting entity NCR#:

Primary Submitting entity contact name and information:

Coordinated Oversight Group # (if applicable):

Regional Entities impacted (for MRREs only):

Is this extension request being submitted jointly with another entity? If yes, please provide:

1. NCR#'s for addition entity(ies)

1-2. Regional Entity that is the CEA for additional entity(ies)

Start date of CAP:

Original completion date of CAP:

Description of system deficiencies identified and selected actions to achieve required System performance per TPL-007-4 Part 7.1:

Circumstances causing the delay for fully or partially implementing the selected actions:

Explanation for why circumstances causing the delay are beyond the entity's control:

Description of revisions to the selected actions, if applicable:

New proposed completion date of CAP: