

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

**North American Electric
Reliability Corporation**

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Docket No. RD21-5-000

**MOTION TO INTERVENE AND
COMMENTS OF THE ELECTRIC POWER SUPPLY ASSOCIATION**

The Electric Power Supply Association (“EPSA”)¹ respectfully submits these comments in support of the North American Reliability Corporation’s (“NERC”) Petition for Approval of Proposed Reliability Standards EOP-011-2, IRO-010-4, and TOP-003-5 (“Petition”),² which was filed with the Federal Energy Regulatory Commission (“FERC” or “the Commission”) on June 17, 2021. EPSA supports these proposed standards as a reasonable and necessary step to further ensure the reliability of the Bulk Power System (“BPS”) as events continue to demonstrate that weather can impact the nation’s energy system to varying degrees by region and system configuration. The Proposed Cold Weather Reliability Standards filed in the instant proceeding were developed in NERC’s evidence-based and targeted stakeholder process and achieve the necessary balance between establishing mandatory steps to improve generator readiness for cold weather conditions and offering the flexibility needed to allow generators to prepare for the specific factors they face.

¹ This pleading represents the position of EPSA as an organization but not necessarily the views of any particular member with respect to any issue.

² *North American Electric Reliability Corporation*, Petition for Approval of Proposed Reliability Standards EOP-011-2, IRO-010-4, and TOP-003-5, Docket RD21-5-000, (June 17, 2021).

I. MOTION TO INTERVENE

EPSA is the national trade association representing competitive power suppliers in the U.S. These suppliers provide reliable and competitively priced electricity from environmentally responsible facilities using a diverse mix of fuels and technologies in every region of the country. EPSA members are subject to NERC reliability standards and are active participants in NERC's standard development process. As a result, EPSA has a direct and substantial interest in the instant proceeding that cannot be adequately represented by any other party and allowing EPSA to actively participate in this proceeding would be in the public interest. Accordingly, EPSA respectfully requests that the Commission grant this timely motion to intervene in accordance with Rules 212 and 214 of the Commission's Regulations (18 CFR §§385.212 and 385.214).

II. COMMUNICATIONS

All correspondence and communications related to this proceeding should be addressed to the following individuals:

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III. COMMENTS

In its Petition, NERC correctly highlights that the generation resource mix is rapidly evolving and becoming more sensitive to extreme temperature conditions.³ As this evolution continues, it is imperative that preserving system reliability remain front of

³ Petition, p. 4.

mind for policymakers and electric system stakeholders. The Proposed Reliability Standards enhance reliability while allowing for flexibility to account for regional and unit-specific differences. For example, Proposed Standard EOP-011-2, Requirement R7 is intended to provide Generator Owners with flexibility to develop appropriate cold weather preparedness plans for their generating units, provided that the plans meet the stated minimum requirements.⁴ In implementing this Requirement, Generator Owners must identify those factors that could limit the ability of the generating unit to perform in cold weather based on its individual circumstances.⁵ Importantly, the proposed new requirement adds standards for cold weather *preparedness* and planning as well as for cold weather operations. This is a critical lesson from past cold weather events that has been addressed in the instant proposed standards.

Additionally, the Proposed Standards advance overall BPS reliability by requiring the exchange of certain cold weather operating parameters between Generation Owners and their Reliability Coordinator, Transmission Operator, or Balancing Authority which enhances situational awareness, operational planning, and real-time operational analysis and monitoring.⁶ As NERC explains, “Through identification and communication of the relevant datapoints...the proposed Cold Weather Reliability Standards would help promote a clear and complete understanding among generators and reliability entities alike of the factors that may influence generating unit performance in their areas during cold weather conditions.”

⁴ Petition, p. 17.

⁵ *Id.*

⁶ Petition, pp. 13-15.

In setting a series of minimum requirements but allowing for Generator Owners to identify what criteria could limit their respective units' ability to perform in cold weather, Generator Owners will take steps to address reliability that take into account a host of unit-specific factors, including geographic location, climate, commonly available weather maps, or generating unit performance in past seasons.⁷ This flexibility is critical as it allows for tailored and targeted measures that will strengthen reliability without being overly prescriptive.⁸ What is necessary to enhance the cold weather capabilities of a generation station in New England may differ greatly from what is required of a similar station in California.⁹ NERC's approach allows for the identification of these factors and thus heightens the chances of these standards being maximally effective – both in results and cost.

The Proposed Standards development process and FERC filing provide for reasonable notice and opportunity for public comment, due process, openness, and a balance of interests, as the Commission requires.¹⁰ In addition, these Proposed Standards are backed by an extensive evidentiary record. While the Proposed Standards directly address recommendations arising from FERC and NERC Staff's report on the causes of the January 17, 2018, southeast cold weather event,¹¹ they also

⁷ *Id.*

⁸ Petition, p. 19, "The proposed requirement is intended to provide flexibility to Generator Owners in the method used to develop a reasonably accurate understanding of expected unit performance during cold weather conditions for the geographic area, which was identified as an important reliability need in Recommendation 1 of the FERC/NERC Staff Report."

⁹ Petition, p. 17, *e.g.* "As a continent-wide requirement, proposed Requirement R7 does not provide a uniform definition of "cold weather.""

¹⁰ *North American Electric Reliability Corporation*, 116 FERC ¶ 61,062, P 250 (2006).

¹¹ FERC and NERC Staff, *The South Central United States Cold Weather Bulk Electric System Event of January 17, 2018*, (July 2019), Available at: https://www.nerc.com/pa/rrm/ea/Documents/South_Central_Cold_Weather_Event_FERC-NERC-Report_20190718.pdf.

take into account lessons learned from cold weather events from 2011¹² and 2014,¹³ as well. This extensive record, buttressed by a robust standard development process, has resulted in a set of just and reasonable Proposed Standards that are responsive to the reliability needs of a changing electric system.

As NERC summarizes, the Proposed Cold Weather Reliability Standards “would advance the reliability of the Bulk-Power System in future winter seasons” and “enhance[e] awareness of factors that could limit generating unit availability by the entities responsible for the reliable operation of the grid.”¹⁴ Accordingly, EPSA respectfully requests that the Commission approve these Proposed Standards on the expedited 18-month implementation timeframe that NERC has requested.¹⁵

¹² FERC and NERC Staff, *Report on Outages and Curtailments During the Southwest Cold Weather Event of February 1-5, 2011: Causes and Recommendations*, (August 2011), Available at: <https://www.ferc.gov/sites/default/files/2020-04/08-16-11-report.pdf>.

¹³ NERC, *Polar Vortex Review*, (September 2014), Available at: https://www.nerc.com/pa/rrm/January%202014%20Polar%20Vortex%20Review/Polar_Vortex_Review_29_Sept_2014_Final.pdf (reviewing generator outages during the January 2014 polar vortex weather event).

¹⁴ Petition, p. 5.

¹⁵ *Id.*, p. 26.

IV. CONCLUSION

Wherefore, EPSA respectfully requests that the Commission grant its timely motion to intervene and be made a party to this proceeding with all the rights pertaining thereto. EPSA further requests that the Commission consider these comments and approve NERC's Proposed Standards on the expedited 18-month implementation timeframe as requested in the Petition. Addressing and ensuring the reliability of the BPS is the highest priority for all involved in the supply and delivery of energy to consumers, and NERC's proposed Cold Weather Reliability Standards are an important step in that mission.

Respectfully submitted,

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Dated: July 29, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically served the foregoing document on each person designated on the official service list compiled by the Secretary of the Federal Energy Regulatory Commission in this proceeding.

Dated at Washington, DC, this 29th day of July 2021.

/s/ Bill Zuretti

Bill Zuretti