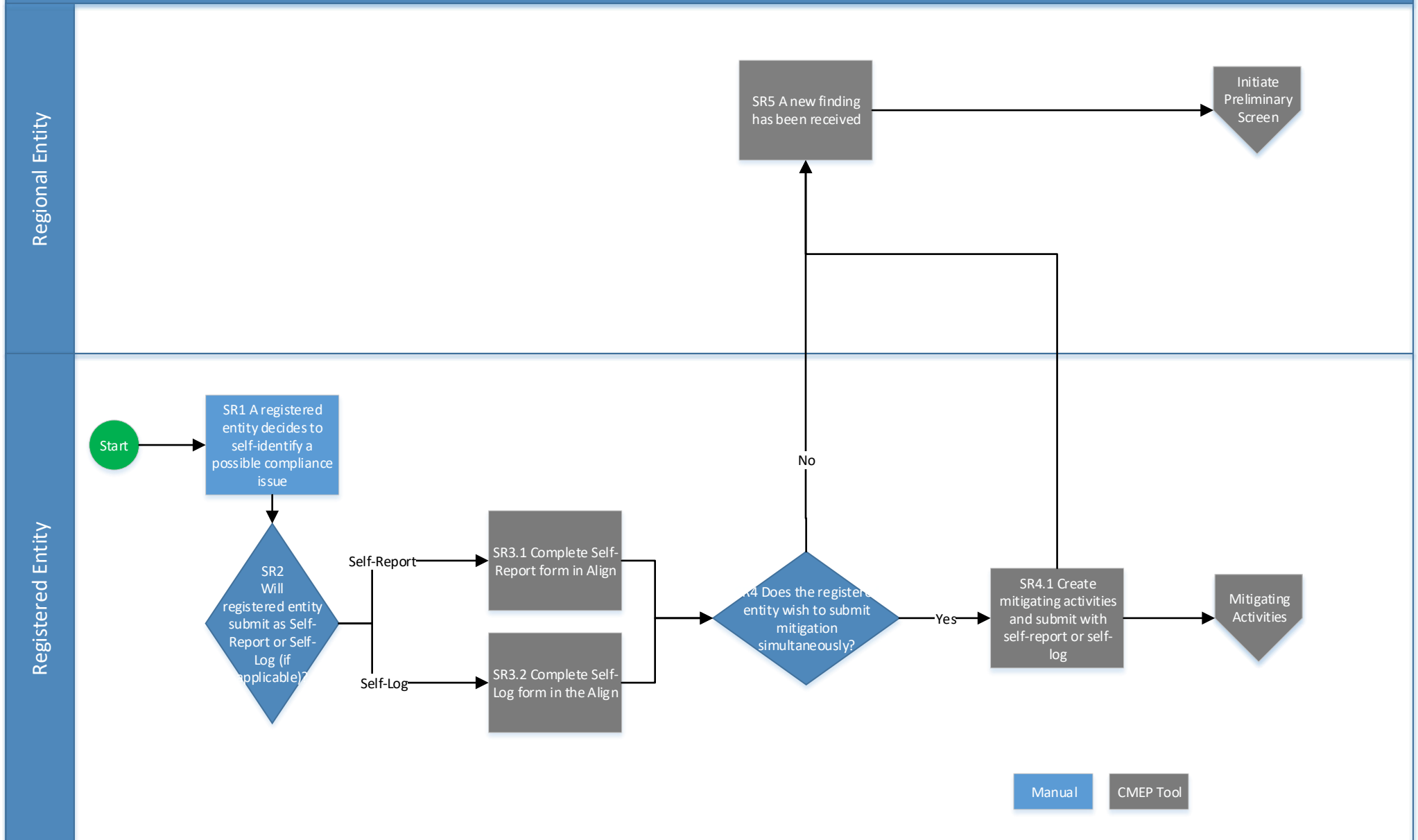


Self-Report and Self-Log

Self-Report Initiation



CEA-Created Findings

Self-Report Initiation

Regional Entity



CF1 The CEA creates
a finding for a CMEP
Activity

Initiate
Preliminary
Screen

Registered Entity

CF2 The registered
entity is notified
that a new finding
has been created

Manual

CMEP Tool

Self-Report and Self-Log Process Flow Reference Guide

Overall Goal: Harmonize the “Self-Reporting” and “Self-Logging” Processes

Inputs

- The information and data submitted by a registered entity that constitutes a “self-report.”
- The information and data submitted by a registered entity that constitutes a “self-log.”
- The information and data submitted by the CEA that constitutes a “finding” (Audit Finding, Self-Cert finding, etc.)
- Regional processes and artifacts used in collaborating with the registered entity to develop and finalize the “self-report” or “self-log.”

Rigid Core/Flexible Edge Goals

- The result should provide the same user experience for all registered entities.
- The result should **not require** changes to the organizational structures of the Regional Entities.

Outputs

- Standardized “Self-Reporting” and “Self-Logging” forms that can be used in all regions.
- A business process diagram that shows a standardized process for collaborating with registered entities that can be implemented by all Regional Entities.
- Standardized notification emails to be used to communicate acceptance of the “self-report.”
- Standardized notification emails to be used to communicate acceptance of the “self-log.”
- Defined and documented business rules regarding “Self-Reporting” and “Self-Logging” processes.

1 – Self-Reports & Self-Logging

SR1. A registered entity decides to self-identify a possible compliance issue

- a. The registered entity identifies a possible noncompliance that triggers the Self-Reports & Self-Logging process to begin.

SR2. *Will registered entity submit as Self-Report or Self-Log (if applicable)?*

- a. If the registered entity is pre-approved by the CEA to perform Self-Logging, the registered entity has the option, based on the risk level of the incident (minimal risk), to submit a Self-Log form.
- b. If the registered entity is not pre-approved by the CEA, or if it determines that the risk level of the incident is not a minimal risk to qualify for Self-Logging, then the registered entity will complete the Self-Report form in the tool.
- c. *Note: Regions will continue to follow their existing processes to approve entities for Self-Logging. Approval for Self-Logging will take place outside of Align – when a new entity is approved, the CEA should document the approval for Self-Logging and to turn on Self-Logging in Align for that entity. Align has the capability to capture the date the*

registered entity requested to be included in the Self-Logging program and the date of either approval or rejection.

SR3.1. Complete Self-Report form in Align

- a. The registered entity will complete all information necessary in the Self-Report form for the possible noncompliance and submit the form.
- b. The full list of fields in the self-report form can be found in the configuration design document.
- c. *Note: If the entity wishes to submit evidence along with their self-report or self-log, they will need to submit the evidence via the Evidence Locker using the reference number provided in Align.*
- d. *Note: The registered entity should confirm that it selected the applicable start date based on the facts and circumstances of the noncompliance and ensure the date is not prior to its registration date. The entity should also check that the sub-parts selected are applicable to their registration.*

SR3.2. Complete Self-Log form in Align

- a. The registered entity will complete all information necessary in the Self-Log form for the possible noncompliance and submit the form.
- b. The full list of fields in the self-log form can be found in the configuration design document.
- c. *Note: If the entity wishes to submit evidence along with their self-report or self-log, they will need to submit the evidence via the Evidence Locker.*
- d. *Note: The registered entity should confirm that it selected the applicable start date based on the facts and circumstances of the noncompliance and ensure the date is not prior to its registration date.*

SR4. Does the registered entity wish to submit mitigation simultaneously?

- a. The registered entity may submit mitigating activities at the same time as their self-report or self-log if they wish
- b. If yes, move to SR4.1 to create mitigating activities
- c. If no, submit self-report or self-log and proceed to SR5
- d. *Note: If the registered entity creates mitigation milestones but does not submit at the same time as the Self-Report/Self-Log, the registered entity can find the draft mitigation under the Mitigation Management module.*
- e. *Note: There are no validation checks on the mitigation when it is submitted this way, so the registered entity is able to submit a blank mitigation form. If that happens, the CEA will need to send it back to the registered entity to fill it out.*

SR4.1. Create mitigating activities and submit with self-report or self-log

- a. The registered entity creates mitigating activities and submits with their self-report or self-log
- b. The self-report or self-log will be received by the CEA in SR5, and the mitigating activities leads to an off-page reference to the mitigating activities process

SR5. A new finding has been received

- a. The CEA receives the self-report or self-log submitted by the registered entity.
- b. *Note: the CEA will receive an email notification from the Align system indicating a 'New Finding has been submitted.'*

Initiate Preliminary Screen – Off-page reference leading to first step of the Preliminary Screen process.

2 – CEA-Created Findings

CF1. The CEA creates a finding for a CMEP Activity

- a. The CEA has the ability to create a finding for any registered entity and choose the corresponding CMEP monitoring method. The process is identical to an entity creating a Self-Report, with the exception of the ability to choose any CMEP monitoring activity.
- b. *Note: This process will be used before Release 2 and Release 3 of Align to track all enforcement activities for monitoring methods which have not yet been implemented. However, this functionality may remain even after implementation of Release 2 and Release 3.*

CF2. The registered entity is notified that a new finding has been created

- a. The new finding will show up on the registered entity Enforcement Processing dashboard after the CEA submits the finding.

Initiate Preliminary Screen – Off-page reference leading to first step of the Preliminary Screen process.

Self-Reports & Self-Logging – Business Rules

Below are all business rules captured for Self-Reports & Self-Logging as a part of the business process harmonization work:

- Registered Entities have to save the Self-Report or Self-Log draft before being able to submit it. Once it shows up in the Draft Findings, then the Registered Entity can take action on it and submit it to the CEA.
- Self-Logs will be submitted on-demand, in the same way that Self-Reports are.
- If an entity is approved for Self-Logging, the tool will allow them to Self-Log across every standard and requirement. If the CEA chooses to not allow Self-Logging for specific requirements, they may change the record type to Self-Report during PNC Review.
- Entities should not be able to submit a self-report or self-log with a function that they are not registered for.
- Entities should not be able to submit a self-report or self-log for a requirement that is not applicable to them. Note that Align does not check against an entity's registration date or the requirement applicability date (only currently applicable standards are shown to the entity).
- Entities will only report against the current version of the standard and requirement – if the violation occurred when an old standard was in place, the entity should determine which current requirement the old requirement maps to and report against that current requirement. The reason and basis should be explained in the basis for dates field of the Self-Report/Self-Log form.
- Entities should not be able to submit a self-report or self-log with a start date after the end date

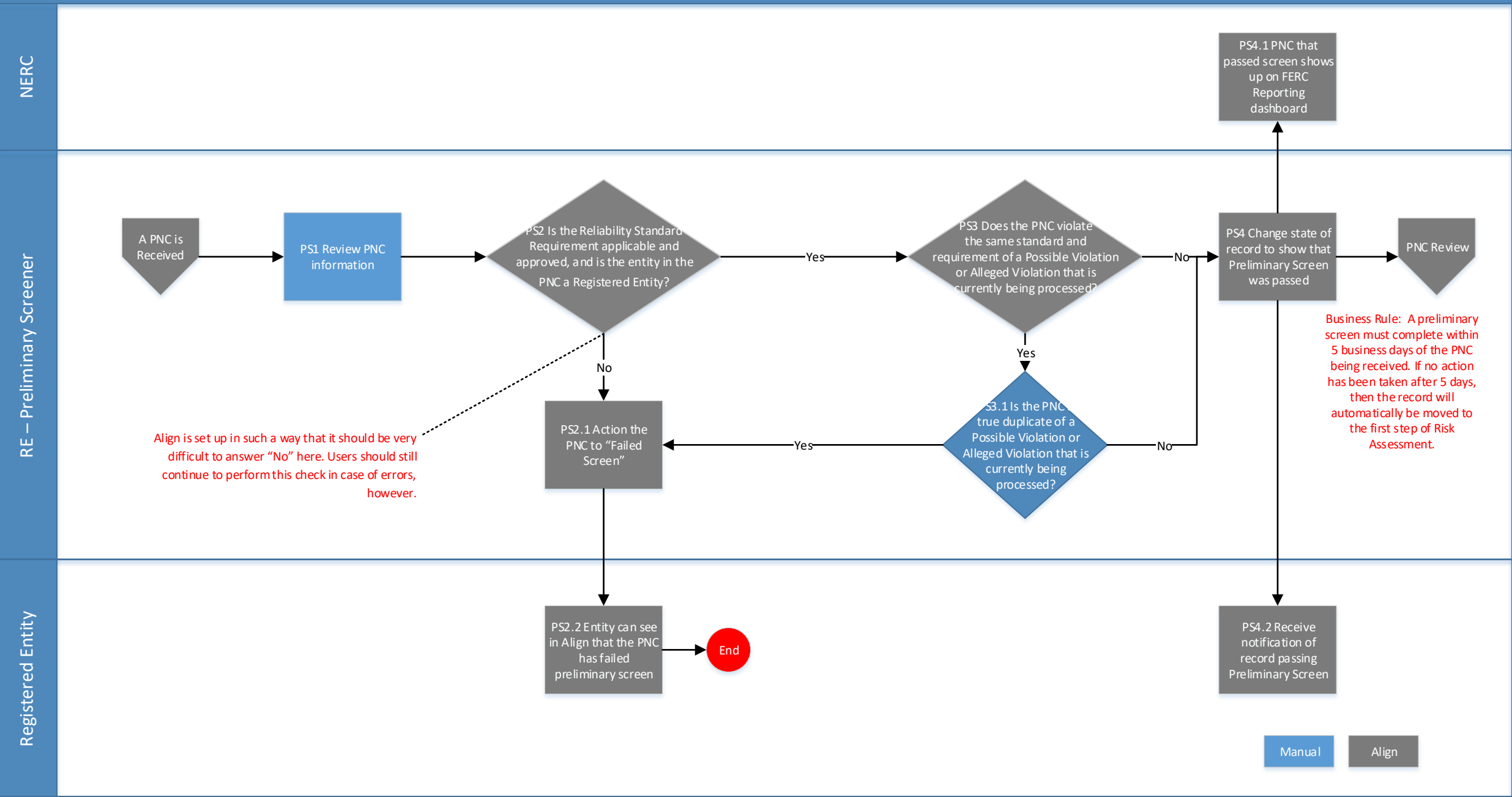
- Entities should not be able to submit a self-report or self-log with a discovery date prior to the start date
- If the entity wishes to submit evidence along with their self-report or self-log, they will need to submit the evidence via the Evidence Locker, and Align should generate an ID number for use in the Locker

Self-Reports & Self-Logging – Notifications

Notification Name	Who does it go to?	Description (Trigger)
New Finding has been submitted	CEA (CEA Preliminary Screener role)	<p>This notification gets sent whenever a new finding is submitted (self-report, self-log, audit finding, etc.)</p> <p>Finding approval workflow When finding moves from Draft to Submitted</p>

Preliminary Screen

Preliminary Screen Initiation



Preliminary Screen Process Flow Reference Guide

Overall Goal: Harmonize the Preliminary Screen Process

Inputs

- Regional processes and artifacts used in Preliminary Screen of PNCs.

Rigid Core/Flexible Edge Goals

- The result should provide the same user experience for all Registered Entities and Regional Entities.
- The result should **not require** changes to the organizational structures of the Regional Entities.

Outputs

- A business process diagram that shows a standardized process for screening PNCs from all Compliance Monitoring Methods.
- Standardized form that can be used in all regions to capture PNC info.
- Standardized form letters to be used in notifications.
- Defined and documented business rules regarding the Preliminary Screen process.

1 – Preliminary Screen

A PNC is Received – Off-page reference leading from any compliance monitoring method that generates a PNC.

PS1. Review PNC information

- a. The CEA reviews the PNC information within 5 business days to determine if it will pass the Preliminary Screen

PS2. ***Is the Reliability Standard Requirement applicable and approved, and is the entity in the PNC a Registered Entity?***

- a. This question is part of the Preliminary Screen as defined in the Rules of Procedure. If the answer is “Yes”, the PNC advances to the next screening question (if any). If the answer is “No”, the PNC will fail the screen.
- b. *Note: The CEA is supposed to check the following during preliminary screen: (1) the entity allegedly involved in the potential noncompliance is a Registered Entity; (2) the Reliability Standard Requirement to which the evidence of potential noncompliance relates is applicable to the entity, has been approved by the Applicable Governmental Authority, and is in effect at the time of the potential noncompliance; and (3) if known, the potential noncompliance is not a duplicate of a Possible Violation or Alleged Violation that is currently being processed. CEAs should only be able to fail the screen for something at this step in a situation where the business rule does not work properly, or there is some other legitimate reason that the tool does not pick up.*

PS2.1. Action the PNC to “Failed Screen”

- a. CEA marks the PNC as not a noncompliance if it fails the Preliminary screen.
- b. *Note: Failing preliminary screen from step PS2 should only be possible in unusual circumstances, such as when a validation check did not work properly or in the case of a duplicate submission.*

PS2.2. Entity can see in Align that the PNC has failed preliminary screen

- a. When a PNC screen is failed, the PNC will show up in the entity's dashboard within Align with a status of "Failed Screen".
- b. The process for this PNC then ends, and the PNC will be moved to a closed state.
- c. *Note: The registered entity will not be able to edit the record and resubmit – they would need to create a new self-report or self-log from scratch.*
- d. *Note: At this point, the CEA and NERC can also see when preliminary screen has failed.*

PS3. Does the PNC violate the same standard and requirement of a Possible Violation or Alleged Violation that is currently being processed?

- a. If the answer is "no", then the PNC passes the preliminary screen and advances to PS4.
- b. If the answer is "yes", then there is a chance that the PNC is a "duplicate", so advance to PS3.1.

PS3.1. Is the PNC a true duplicate of a Possible Violation or Alleged Violation that is currently being processed?

- a. If the answer is "yes", then the PNC is a true duplicate (e.g., an entity self-certifies noncompliant when a Possible Violation already exists, an entity self-reports a Possible Violation already entered as a finding from a Compliance Audit), and it will fail the screen – advance to PS2.1.
- b. If the answer is "no", then the PNC has passed the Preliminary Screen, and is not related to any Open Enforcement Action, so advance to PS4.

PS4. Change state of record to show that Preliminary Screen was passed

- a. Since there is no need for more than one ID in the new tool, rather than requesting a NERC Violation ID, a state change will notify both NERC and the registered entity of the record passing the Preliminary Screen, and for the CEA, it will move the record to the PNC Review step.

PS4.1. PNC that passed screen shows up on FERC Reporting dashboard

- a. NERC can now see the PNC on their FERC Reporting dashboard, indicating that it is ready to be reported to FERC within two business days. NERC receives notification on the My Align tasks view and can take action on the FERC Reporting tab.
- b. NERC notifies FERC that a PNC has passed screen.
- c. *. Note: only applies to US Jurisdictions. This happens outside of Align using the Reporting tool. NERC will mark the date it sends the PNC that has passed screen to FERC in Align under the FERC Reporting tab*

PS4.2. Receive notification of record passing Preliminary Screen

- a. Registered entity receives the notification of the record passing Preliminary Screen. This status change is also visible on the entity Enforcement Processing dashboard (status changes from Preliminary Screen to PNC Review).
- b. *Note: This notification contains language such that it also acts as the Notice of Possible Violation (NPV). There is no record or notification type of "NPV" in Align, since this is how*

the NPV is being sent. This notification includes the language that the registered entity must preserve all documentation pertaining to the matter.

Initiate PNC Review – Off-page reference leading to the first step of the PNC Review process

Preliminary Screen – Business Rules

Below are all business rules captured for Preliminary Screen as a part of the business process harmonization work:

- The tool should be built in such a way that it greatly reduces the possibility for a PNC to be submitted for a requirement not applicable to a given entity. Additionally, the tool should be built with nuances in mind for Multi-Regional Registered Entities
- A Preliminary Screen must complete within 5 business days of the PNC being received.
- The PNC Passed Preliminary Screen notification contains language such that it also acts as the Notice of Possible Violation (NPV). There is no record or notification type of “NPV” in Align, since this is how the NPV is being sent. This notification includes the language that the registered entity must preserve all documentation pertaining to the matter.

Preliminary Screen – Notifications

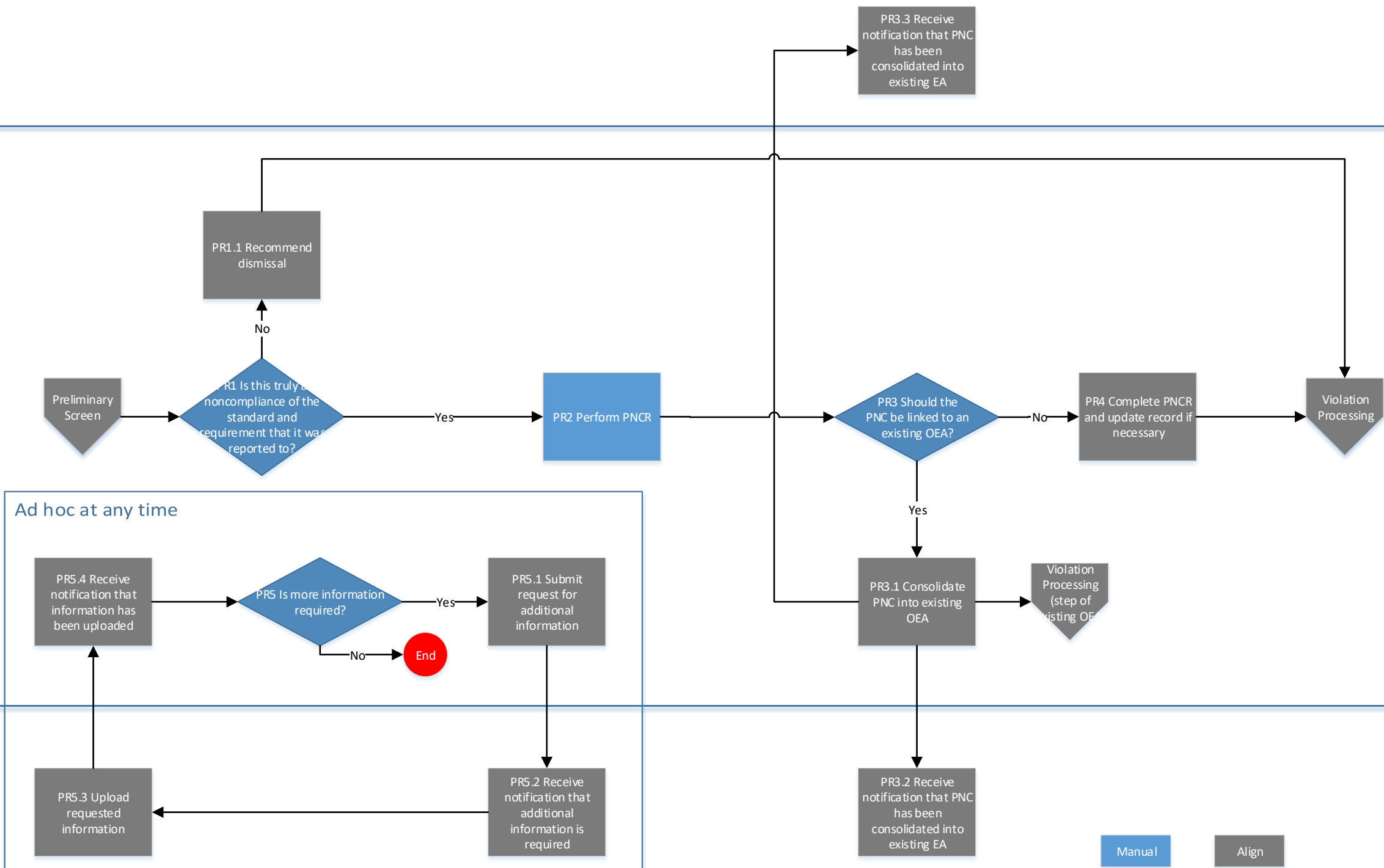
Notification Name	Who does it go to?	Description (Trigger)
Registered Entity receives notification PNC has passed screening	Entity (PCC, all ACCs)	This notification is sent when a PNC passes preliminary screening On PNC Approval from Preliminary Screening to PNC Review

Potential Non-Compliance Review (PNCr)

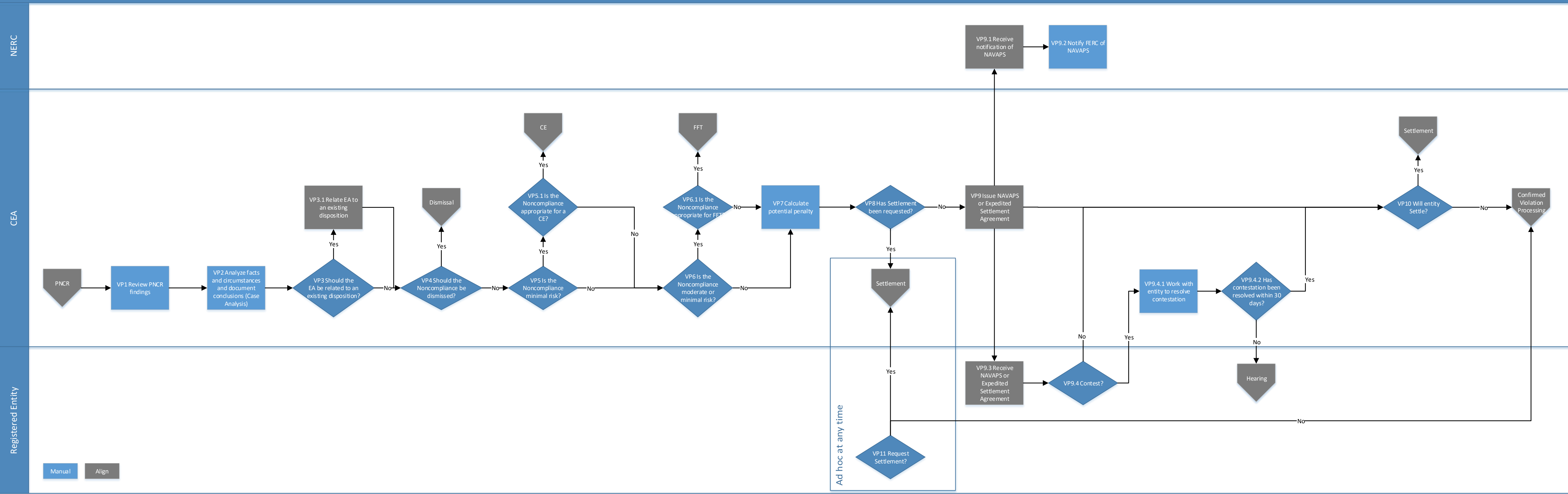
NERC

CEA

Registered Entity



Enforcement Processing



Enforcement

Dismissal

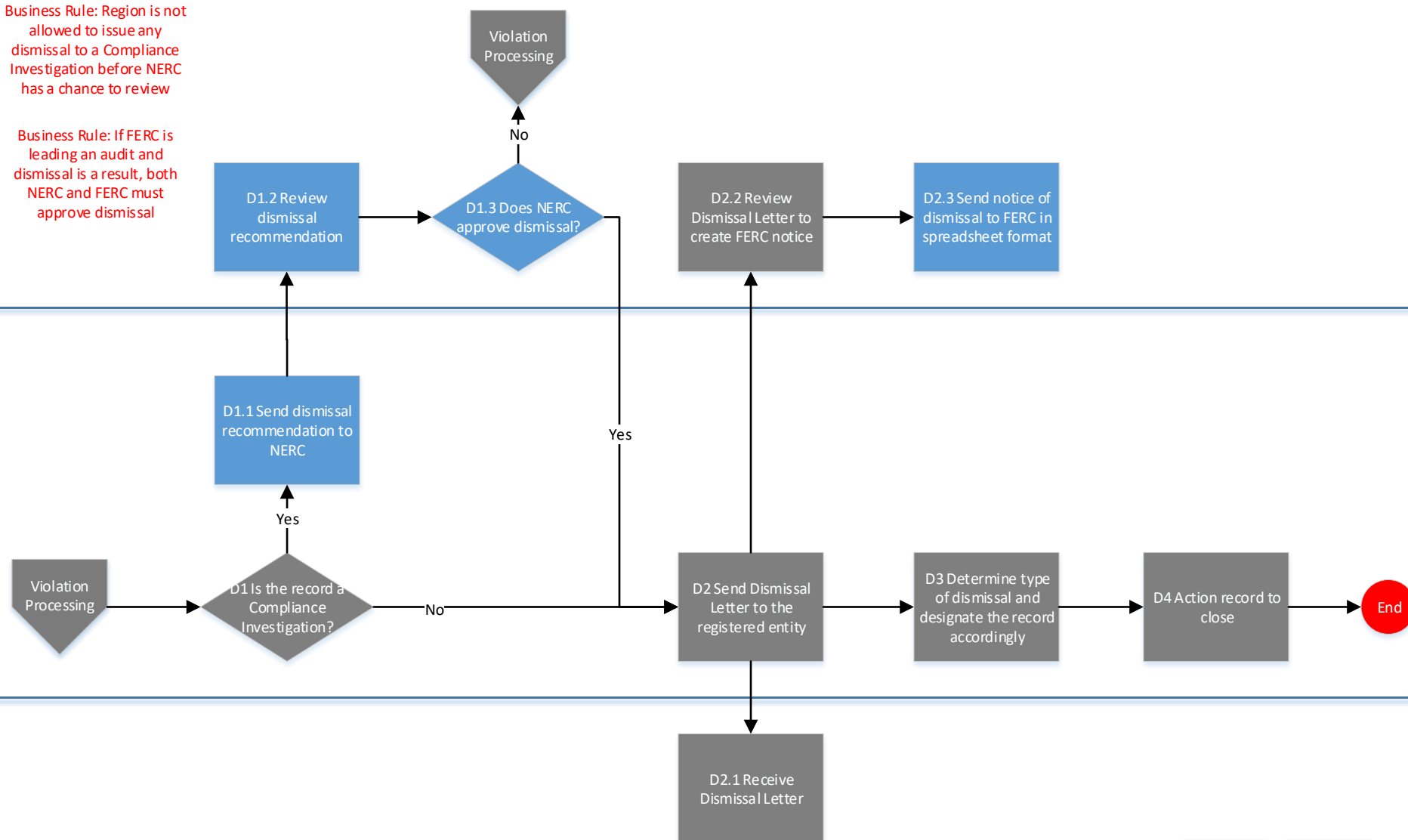
NERC

Business Rule: Region is not allowed to issue any dismissal to a Compliance Investigation before NERC has a chance to review

Business Rule: If FERC is leading an audit and dismissal is a result, both NERC and FERC must approve dismissal

CEA

Registered Entity

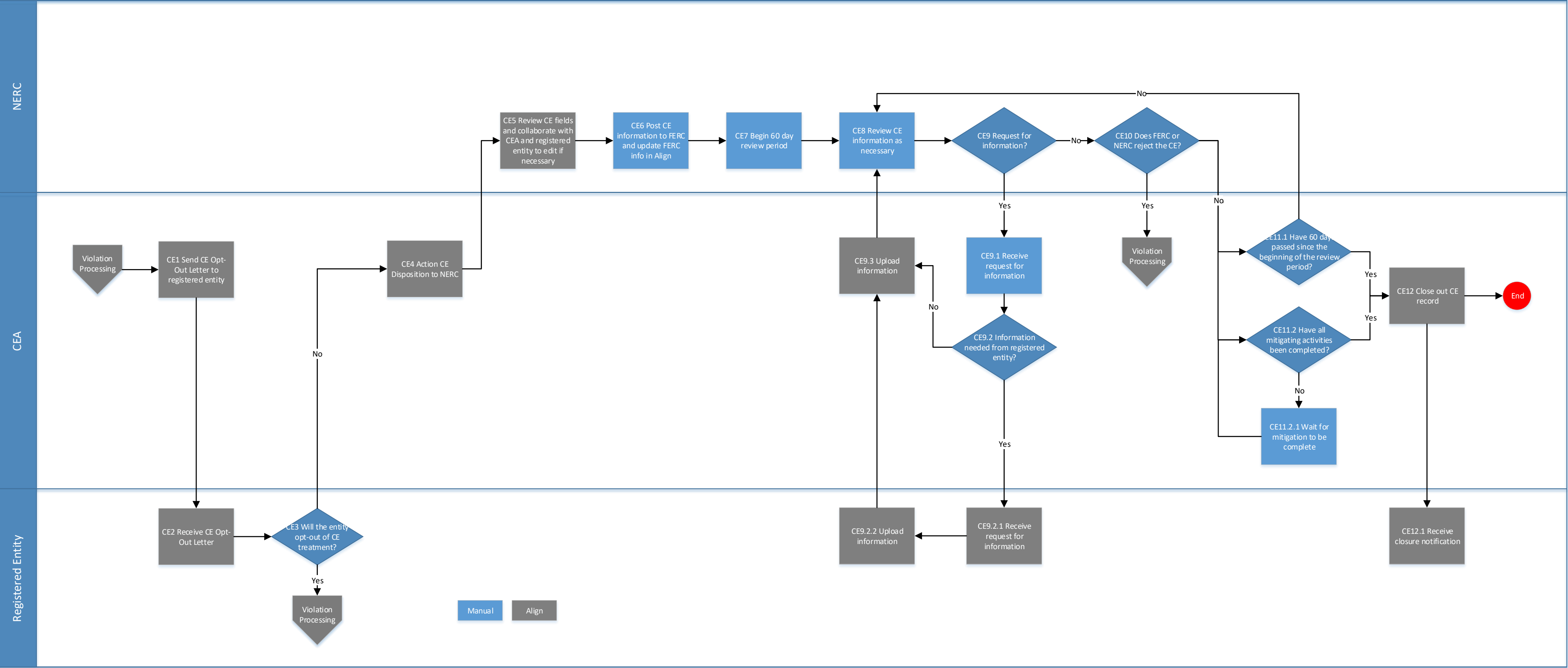


Manual

Align

Enforcement Processing

CE Tracking



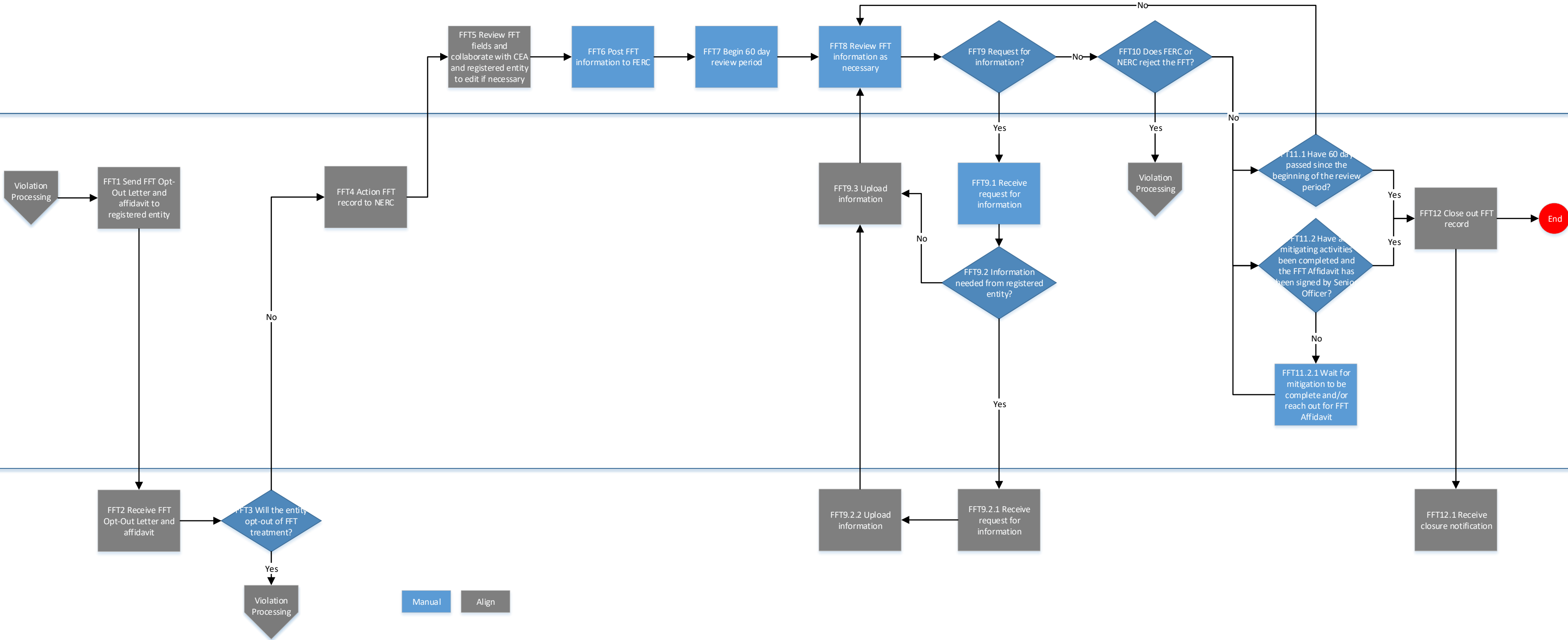
Enforcement Processing

FFT Tracking

NERC

CEA

Registered Entity

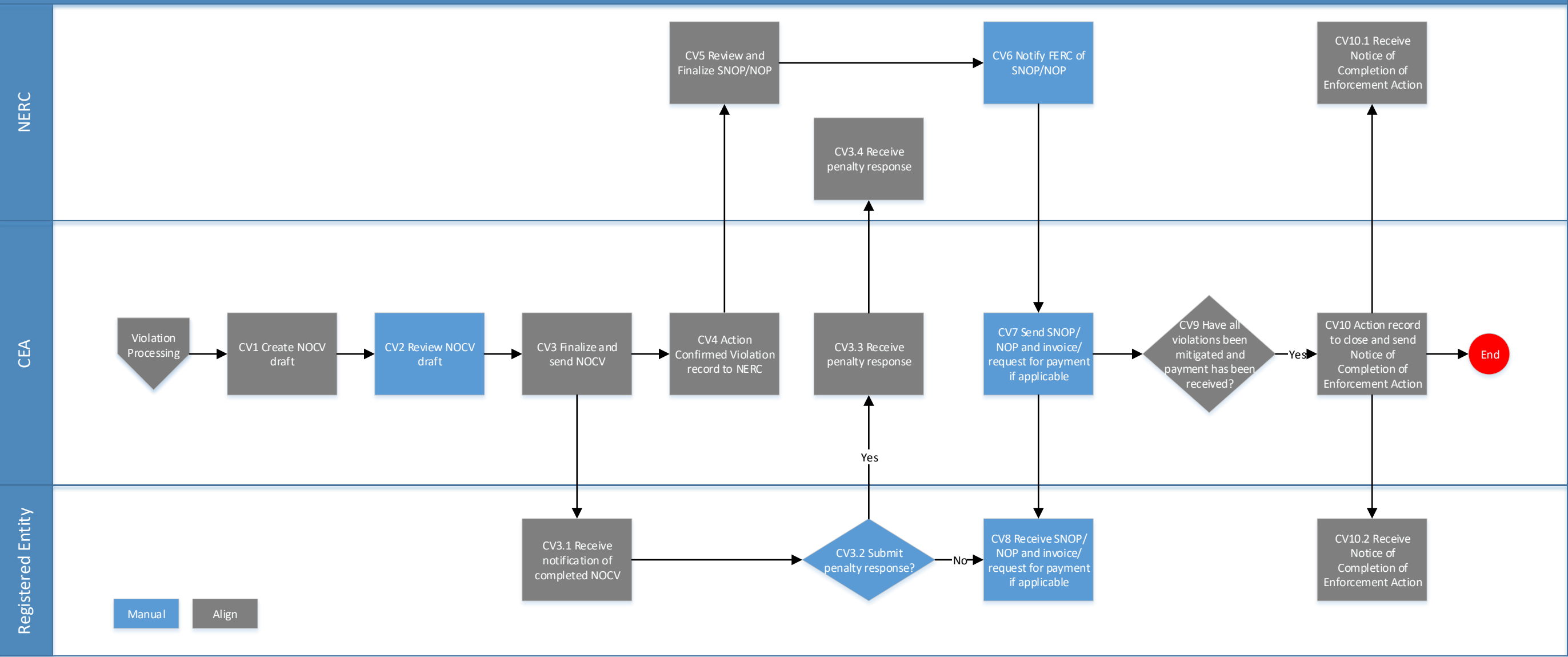


Manual

Align

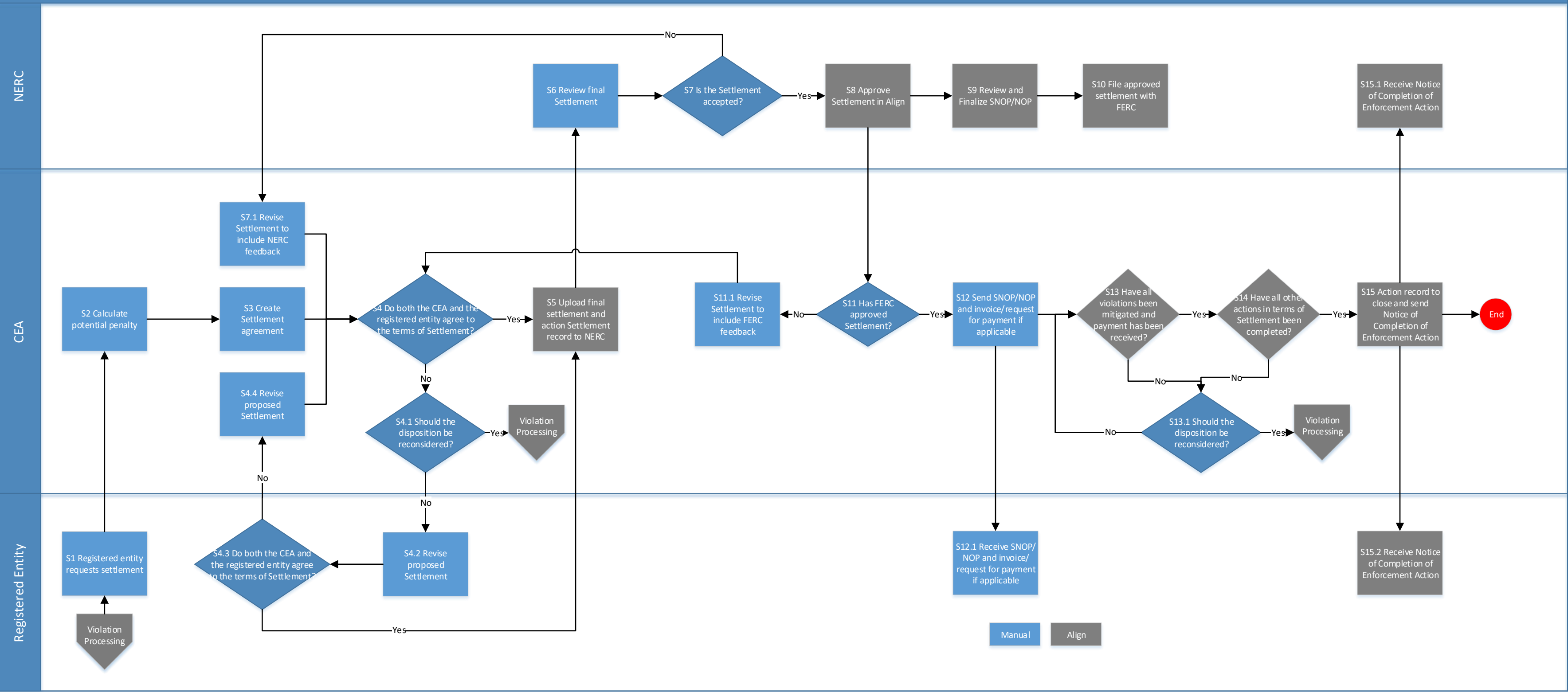
Enforcement Processing

Confirmed Violation Processing



Enforcement Processing

Settlement



Enforcement Process Flow Reference Guide

Overall Goal: Harmonize the Enforcement Processes

Inputs

- Regional processes and artifacts used in the enforcement processes.

Rigid Core/Flexible Edge Goals

- The result should provide the same user experience for all registered entities.
- The result should **not require** changes to the organizational structures of the regional entities.

Outputs

- Standardized forms and notification templates that can be used in all regions.
- A business process diagram that shows a standardized process for collaborating with registered entities that can be implemented by all Regional Entities.
- Defined and documented business rules regarding enforcement processes.

Potential Non-Compliance Review (PNCR) Process Flow Steps

Preliminary Screen – Off-page reference leading from the passing of Preliminary Screen

PR1 *Is this truly a noncompliance of the standard and requirement that it was reported to?*

- a. The Compliance Enforcement Authority (CEA) will first determine if the issue that came from preliminary screen is a noncompliance of the standard/requirement it was reported to. If it is not, dismissal should be recommended
- b. *Note: there should only be a dismissal if the reported facts do not amount to a noncompliance with any requirement. If the registered entity chose the wrong requirement, then the CEA should adjust the requirement in the PNC Review step.*

PR1.1 **Recommend dismissal**

- a. The CEA will recommend dismissal of an issue that is not truly a noncompliance of the standard and requirement that it was reported to.

PR2 **Perform PNCR**

- a. The CEA conducts the PNCR, which includes reviewing the extent of condition, the risk, and the root cause.

PR3 *Should the PNC be linked to an existing OEA?*

- a. The CEA may choose to consolidate the PNC into an existing OEA if they determine the issues are related.
- b. If yes, proceed to PR3.1 to consolidate the PNC.
- c. If no, proceed to PR4 to complete PNCR.

PR3.1 **Consolidate PNC into existing OEA**

- a. CEA consolidates the PNC into an existing OEA in Align.

- b. *Note: if the CEA consolidates a PNC into an existing OEA, the CEA will do that from the PNC Review tab and use the 'Consolidate a PNC under an Open Enforcement Action' portlet to complete this action.*

PR3.2 Registered Entity receives notification that PNC has been Consolidated into existing OEA

- a. Registered Entity receives notification that PNC has been Consolidated into existing OEA.

PR3.3 NERC receives notification that PNC has been Consolidated into existing OEA

- a. NERC receives notification that PNC has been Consolidated into existing OEA.

PR4 Complete PNCR and update record if necessary

- a. CEA completes the PNCR and updates the record if changes are required.
- b. Changes could be required to the record if new information is uncovered through RFIs or through further analysis.
- c. When the CEA marks the Root Cause Analysis section as being complete, it will share the root cause with the registered entity.
- d. *Note: In order to move the PNC record to the next workflow step under Enforcement Processing, the PNC Review form validates that the CEA has marked the Extent of Condition Review, Risk Analysis, and Root Cause Analysis sections as being complete.*

PR5 Is more information required?

- a. This RFI request can be initiated at any time during the PNCR process.
- b. The CEA should request more information if necessary to perform a complete PNCR.

PR5.1 Submit request for additional information

- a. CEA submits RFI using Align. CEA is able to attach any documents that need to be shared with the entity via Align.

PR5.2 Receive notification that additional information is required

- a. The PCC and ACCs of the registered entity receive an email notification from Align, and the RFI shows up in their My Align dashboard.

PR5.3 Upload requested information

- a. Registered entity submits information using Align in response to the RFI.
- b. *Note: If the entity is providing any evidence associated with the noncompliance, they must upload the evidence into the Evidence Locker. However, they must still return the RFI record in Align, with a reference to the uploaded evidence.*

PR5.4 Receive notification that information has been uploaded

- a. CEA is able to see the RFI response on their My Align dashboard. The CEA can then decide whether to close the RFI or send it back to the registered entity for more information.

Violation Processing – Off-page reference leading to Violation Processing

Enforcement Processing Process Flow Steps

PNCR – Off-page reference leading from PNCR

VP1 Review PNCR findings

- a. CEA reviews the findings from the PNCR.
- VP2 Analyze facts and circumstances and document conclusions (Case Analysis)**
 - a. CEA analyzes PNCR findings, facts, and circumstances in order to determine the disposition.
- VP3 Should the EA be related to an existing disposition?**
 - a. The CEA may choose to relate the Enforcement Action (EA) to an existing disposition to process them together.
 - b. If yes, move to VP3.1 to relate.
 - c. If no, continue to VP4 to decide if the EA should be dismissed.
- VP3.1 Relate EA to an existing disposition**
 - a. CEA relates the EA to an existing disposition in Align.
 - b. *NOTE: the CEA can only relate an EA if it is not already associated with an existing disposition.*
- VP4 Should the Noncompliance be dismissed?**
 - a. CEA decides if the noncompliance should be dismissed.
 - b. If yes, move to Dismissal Process Flow Steps (Off-page reference)
 - c. If no, continue to other disposition types.
- VP5 Is the Noncompliance minimal risk?**
 - a. If yes, CEA will move to VP5.1 to decide if CE treatment is applicable.
 - b. If no, CEA will move to VP6.
- VP5.1 Is the Noncompliance appropriate for a CE?**
 - a. CEA decides on a case-by-case basis if CE treatment should be pursued. This could be influenced by risk, compliance history, self-logged issue etc.
 - b. If yes, CEA will move to CE Process Flow Steps (Off-page reference).
 - c. If no, CEA will move to VP6.
- VP6 Is the Noncompliance moderate or minimal risk?**
 - a. If yes, CEA will move to VP6.1 to decide if FFT treatment is applicable.
 - b. If no, CEA will move to VP7 to check for settlement requests.
- VP6.1 Is the Noncompliance appropriate for FFT?**
 - a. CEA decides on a case-by-case basis if FFT treatment should be pursued. This could be influenced by risk, compliance history, etc.
 - b. If yes, CEA will move to FFT Process Flow Steps (Off-page reference).
 - c. If no, CEA will move to VP7 to calculate potential penalty. check for settlement requests.
- VP7 Calculate potential penalty**
 - a. CEA calculates potential penalty outside of Align.
 - b. *NOTE: the CEA will calculate potential penalty for Settlement, NAVAPS, Expedited Settlement Agreement, and NOCV*
- VP8 Has Settlement been requested?**
 - a. CEA will check if settlement has already been requested (See step VP11). The settlement request will happen outside of Align and would need to be captured in Align by creating the disposition object. The CEA can capture the settlement status, requested on date, executed date, proposed amount, final amount, and a text field on history.
 - b. If yes, CEA will move to Settlement Process Flow Steps (Off-page reference).
 - c. If no, CEA will move to VP9 to issue NAVAPS or Expedited Settlement Agreement.

- d. *Note: The registered entity may request for settlement at any time during this process, including after the NAVAPS has been issued. The CEA will sometimes reach out to the registered entity to start settlement process.*

VP9 Issue NAVAPS or Expedited Settlement Agreement

- a. CEA issues NAVAPS or Expedited Settlement Agreement to the registered entity.
- b. *Note: This step will only happen if the CEA determines the noncompliance is not applicable for CE or FFT treatment, and if the Settlement process has not been initiated.*

VP9.1 Receive notification of NAVAPS

- a. NERC receives notification that NAVAPS has been issued. NERC receives notification on the My Align tasks view and can take action on the FERC Reporting tab.

VP9.2 Notify FERC of NAVAPS

- a. NERC notifies FERC that NAVAPS has been issued.
- b. *Note: only applies to US Jurisdictions. This happens outside of Align using the Reporting tool. NERC will mark the date it sends the NAVAPS to FERC in Align under the FERC Reporting tab.*

VP9.3 Receive NAVAPS or Expedited Settlement Agreement

- a. Registered entity receives the NAVAPS or Expedited Settlement Agreement.

VP9.4 Contest?

- a. Registered entity has 30 days to respond to a NAVAPS and may contest the violation or proposed penalty.
- b. If yes, move to VP9.4.1 to work to resolve issues.
- c. If no, move to VP10.

VP9.4.1 Work with entity to resolve contestation

- a. CEA works with the registered entity to attempt to resolve whatever issues may have prompted contestation.

VP9.4.2 Has contestation been resolved within 30 days?

- a. If agreement cannot be reached within 30 days, a hearing will be scheduled.
- b. *Note: If a hearing is scheduled, all hearing activities will take place outside the tool. The results of the hearing activities should be documented in Align in the comments sections of the EA or Disposition, and after the hearing has been reached the record should be closed out accordingly.*

VP10 Will entity settle?

- a. Most violations on this track will be resolved through settlement. The CEA should check to see if the registered entity requested settlement.
- b. If yes, move to Settlement (Off-page reference).
- c. If no, move to Confirmed Violation Processing (Off-page reference).

VP11 Request Settlement?

- a. The registered entity has the option to request settlement at any time during the process, as shown by the ad hoc sub-process.
- b. If yes, move to Settlement (Off-page reference).
- c. If no, wait until either Settlement is requested or the record moves to Confirmed Violation Processing (Off-page reference).

Confirmed Violation Processing – Off-page reference leading to Confirmed Violation Processing

Dismissal Process Flow Steps

Violation Processing – Off-page reference leading from Violation Processing

D1 *Is the record a Compliance Investigation?*

- a. *Note: A CEA cannot issue any dismissal to a Compliance Investigation before NERC is able to review. NERC will communicate their review outside of Align.*
- b. *Note: If FERC is leading an audit and dismissal is a result, both NERC and FERC must approve dismissal. These reviews will be communicated outside of Align.*
- c. If yes, CEA moves to D1.1 to send recommendation to NERC.
- d. If no, CEA moves to D2 to send Dismissal Letter.

D1.1 Send dismissal recommendation to NERC

- a. In the case of a dismissal to a Compliance Investigation, the CEA sends a recommendation of dismissal to NERC.
- b. *Note: This will take place outside of Align. There is nothing built into Align to facilitate NERC review of dismissal in cases of compliance investigation, due to the extremely low number of instances of this occurring.*

D1.2 Review dismissal recommendation

- a. NERC reviews the recommendation for dismissal to a Compliance Investigation.

D1.3 Does NERC approve dismissal?

- a. If yes, CEA is notified and will move to D2 to send Dismissal Letter.
- b. If no, the record will move back to Violation Processing (Off-page reference) for further evaluation.

D2 Send Dismissal Letter to the registered entity

- a. The CEA creates a disposition of type Dismissal, then creates and sends a Dismissal Letter to the registered entity. The CEA must either attach a Dismissal letter or include the dismissal basis language in the notification object.
- b. *Note: NERC does not need a notification of this activity, however it should be visible to them upon login to the system (i.e. dashboard view). NERC receives the notification once the CEA submits the Dismissal disposition object.*

D2.1 Receive Dismissal Letter

- a. Registered entity receives Dismissal Letter from the Region through the notification object on both their My Align and Enforcement Processing dashboards. The entity will also receive an email notification.

D2.2 Review Dismissal Letter to create FERC notice

- a. NERC reviews Dismissal Letter and creates notice to FERC. NERC receives notification on the My Align tasks view and can take action on the FERC Reporting tab.

D2.3 Send notice of dismissal to FERC in spreadsheet format

- a. NERC sends notice of dismissal to FERC
- b. *Note: only applies to US Jurisdictions. This happens outside of Align using the Reporting tool. NERC will mark the date it sends the dismissal to FERC in Align under the FERC Reporting tab.*

D3 Determine type of dismissal and designate the record accordingly

- a. CEA determines the dismissal category and marks the record accordingly. Dismissal categories are as follows:
 - i. Consolidation – CEA states they are dismissing the violation because they are consolidating the violation with another violation.
 - i. *NOTE: this will be used in Align for any consolidation that occurs where the violation id exists in CITS and CDMS. Once all IDs are in Align, the Consolidation category will generally no longer be used as Regions will consolidate a PNC into an existing OEA.*
 - ii. Preliminary Screen – CEA determines that the violation should not have passed the Preliminary Screen due to it being a duplicate of another violation, or that the entity incorrectly identified the standard/requirement or reported against a standard/requirement not applicable to their function.
 - iii. Evidence – CEA states that after reviewing additional evidence they determined the violation should be dismissed – this would NOT include any violation that should have failed preliminary screen. This does include where the facts reported do not amount to a violation.
 - iv. Transfer to Affiliate – CEA transfers the violation to an affiliate in the same Region.
 - v. Transfer to another CEA – CEA transfers the violation to another CEA for processing.

D4 Action record to close

- a. The CEA actions the Dismissal disposition, and it moves to the processing complete step.

End – End of Dismissal process.

Compliance Exception (CE) Process Flow Steps

Violation Processing – Off-page reference leading from Violation Processing

CE1 Send CE Opt-Out Letter to registered entity

- a. CEA creates a disposition of type CE then creates and sends the CE Opt-Out Letter to the registered entity.
- b. *Note: Although the CEA has the ability to relate multiple EAs onto the CE disposition, the CEA should consider that the closure is on the disposition object and you would need to close all CEs at the same time.*
- c. *Note: The CEA needs to attach the CE Opt-Out letter to the CE notification object. If a response is requested, the CEA will need to put the appropriate due date.*

CE2 Receive CE Opt-Out Letter

- a. Registered entity receives the CE Opt-Out Letter.

CE3 Will the entity opt-out of CE treatment?

- a. The registered entity has the option to opt-out of CE treatment.
- b. If yes, the record will move back to Violation Processing (Off-page reference) for further evaluation. To do this, the CEA would need to choose the “Delete” action, which will

remove the CE disposition object from the record. Note that the deleted disposition record will always remain available for later viewing.

- c. If no or if the registered entity does not respond within the response deadline, the CEA will move to CE4 to action the record to NERC review.

CE4 Action CE Disposition to NERC

- a. CEA submits the CE disposition record to NERC for review.
- b. *Note: the CEA will either need to attach the draft filing document to the disposition object or upload the document to the secure FTP site outside of Align.*

CE5 Review CE fields and collaborate with CEA and registered entity to edit if necessary

- a. NERC reviews the fields of the CE. If they determine changes need to be made before posting to FERC, they will work with the CEA and the registered entity as appropriate to make edits.
- b. *Note: NERC reviews the CE filing document. The CEA and NERC can both upload filing documents to the disposition record in order to collaborate, but no notification will take place. Alternatively, NERC and the CEA can collaborate outside of Align.*
- c. *Note: NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*

CE6 Post CE information to FERC

- a. NERC posts the information from all CEs for the given period to FERC for review.
- b. NERC creates a filing record that includes all monthly CEs that are submitted to FERC for review. NERC will add the filing date and attach the filing documents in Align.

CE7 Begin 60 day review period

- a. Once the CE information has been posted to FERC, a 60-day review period begins.

CE8 Review CE information as necessary

- a. NERC and FERC have the opportunity to review any CE information they deem appropriate.

CE9 Request for information?

- a. NERC or FERC may issue an RFI for additional information for any CE.
- b. *Note: This request may be handled offline, or NERC may choose to reject the disposition record back to the CEA and ask for updates that way.*
- c. If yes, NERC will notify the CEA and move to CE9.1 where the CEA receives the RFI.
- d. If no, move to CE10 for the opportunity to reject a CE.

CE9.1 Receive request for information

- a. CEA receives the RFI.
- b. *Note: This request may be handled offline, or NERC may choose to reject the disposition record back to the CEA and ask for updates that way.*

CE9.2 Information needed from registered entity?

- a. CEA may require information from the applicable registered entity in order to respond to the RFI.
- b. If yes, the CEA will issue an RFI from the PNC record to the registered entity and move to CE9.2.1.
- c. If no, the CEA will move to CE9.3 to upload requested information.

CE9.2.1 Receive request for information

- a. Registered entity receives the RFI notification request from the CEA.

CE9.2.2 Upload information

- a. Registered entity uploads requested information either in Align or evidence locker.
- b. *Note: If the entity is providing any evidence associated with the noncompliance, they must upload the evidence into the Evidence Locker. However, they must still return the RFI record in Align, with a reference to the uploaded evidence.*

CE9.3 Upload information

- a. CEA either updates the record with new information or gives the new information to NERC outside of Align.

CE10 Does FERC or NERC reject the CE?

- a. FERC or NERC may choose to reject any CE within the 60-day review period.
- b. If yes, the record will move back to Violation Processing (Off-page reference) for further evaluation.
- c. If no, the record will move to CE11.1 and CE11.2 to check for closure criteria.
- d. *Note: NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*

CE11.1 Have 60 days passed since the beginning of the review period?

- a. As a process rule, the CE cannot be closed if the 60-day review period is not finished.
- b. If yes, and if CE11.2 is satisfied, the record moves to CE12 for closure.
- c. If no, the CE may still be reviewed by FERC and NERC for the duration of the 60 day review period.

CE11.2 Have all mitigating activities been completed?

- a. All mitigating activities must be complete before the CE can be closed.
- b. If yes, and if CE11.1 is satisfied, the record moves to CE12 for closure.
- c. If no, move to CE11.2.1 to wait for mitigating activities to be completed, as the record cannot be closed.

CE11.2.1 Wait for mitigation to be complete

- a. Wait for mitigation to be complete before closing the record.

CE12 Close out CE record

- a. The CEA adds the violation closed date to the record, and the CE disposition record is actioned to processing complete step.
- b. *Note: The closure goes on the CE Disposition record so if there are multiple EAs associated to the disposition, CE11.1 and CE11.2 have to be completed for every EA on the disposition record.*

CE12.1 Receive closure notification

- a. The registered entity receives the automated email CE closure notification.

End – End of CE Process

Find, Fix, Track Process Flow Steps

Violation Processing – Off-page reference leading from Violation Processing

FFT1 Send FFT Opt-Out Letter and affidavit to registered entity

- a. CEA creates a disposition of type FFT then creates and sends the FFT Opt-Out Letter and affidavit to the registered entity.
- b. *Note: Although the CEA has the ability to relate multiple EAs to the FFT disposition, the CEA should consider that the closure is on the disposition object and you would need to close all FFTs at the same time.*
- c. *Note: The CEA needs to attach the FFT Opt-Out document to the FFT notification object. If a response is requested, the CEA will need to put the appropriate due date.*

FFT2 Receive FFT Opt-Out Letter and affidavit

- a. Registered entity receives the FFT Opt-Out Letter and affidavit.

FFT3 Will the entity opt-out of FFT treatment?

- a. The registered entity has the option to opt-out of FFT treatment.
- b. If yes, the record will move back to Violation Processing (Off-page reference) for further evaluation. To do this, the CEA would need to choose the “Delete” action, which will remove the FFT disposition object from the record. Note that the deleted disposition record will always remain available for later viewing.
- c. If no or the registered entity does not respond within the response deadline, the CEA will move to FFT4 to action the record to NERC review.

FFT4 Action FFT record to NERC

- a. CEA submits the FFT disposition record to NERC for review.
- b. *Note: the CEA will either need to attach the draft filing document to the disposition object or upload the document to the secure FTP site outside of Align.*

FFT5 Review FFT fields and collaborate with CEA and registered entity to edit if necessary

- a. NERC reviews the fields of the FFT. If they determine changes need to be made before posting to FERC, they will work with the CEA and the registered entity as appropriate to make edits.
- b. *Note: The CEA and NERC can both upload filing documents to the disposition record in order to collaborate, but no notification will take place. Alternatively, NERC and the CEA can collaborate outside of Align.*
- c. *NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*

FFT6 Post FFT information to FERC

- a. NERC posts the information from all FFTs for the given period to FERC for review.
- b. NERC creates a filing record that includes all monthly FFTs that are submitted to FERC for review. NERC will add the filing date and attach the filing documents in Align.

FFT7 Begin 60 day review period

- a. Once the FFT information has been posted to FERC, a 60 day review period begins.

FFT8 Review FFT information as necessary

- a. NERC and FERC have the opportunity to review any FFT information they deem appropriate.

FFT9 Request for information?

- a. NERC or FERC may issue an RFI for additional information for any FFT.
- b. *Note: This request may be handled offline, or NERC may choose to reject the disposition record back to the CEA and ask for updates that way.*
- c. If yes, NERC will notify the CEA and move to FFT9.1 where the CEA receives the RFI.
- d. If no, move to FFT10 for the opportunity to reject a CE

FFT9.1 Receive request for information

- a. CEA receives the RFI.
- b. *Note: This request may be handled offline, or NERC may choose to push the disposition record back to the CEA and ask for updates that way.*

FFT9.2 Information needed from registered entity?

- a. CEA may require information from the applicable registered entity in order to respond to the RFI.
- b. If yes, the CEA will issue an RFI from the PNC record to the registered entity and move to FFT9.2.1.
- c. If no, the CEA will move to FFT9.3 to upload requested information.

FFT9.2.1 Receive request for information

- a. Registered entity receives the RFI notification request from the CEA.

FFT9.2.2 Upload information

- a. Registered entity uploads requested information either in Align or evidence locker.
- b. *Note: If the entity is providing any evidence associated with the noncompliance, they must upload the evidence into the Evidence Locker. However, they must still return the RFI record in Align, with a reference to the uploaded evidence.*

FFT9.3 Upload information

- a. CEA either updates the record with new information or gives the new information to NERC outside of Align.

FFT10 Does FERC or NERC reject the FFT?

- a. FERC or NERC may choose to reject any FFT within the 60-day review period.
- b. If yes, the record will move back to Violation Processing (Off-page reference) for further evaluation.
- c. If no, the record will move to FFT11.1 and FFT11.2 to check for closure criteria.
- d. *Note: NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*

FFT11.1 Have 60 days passed since the beginning of the review period?

- a. As a process rule, the FFT cannot be closed if the 60 day review period is not finished.
- b. If yes, and if FFT11.2 is satisfied, the record moves to FFT12 for closure.
- c. If no, the FFT may still be reviewed by FERC and NERC for the duration of the 60 day review period.

FFT11.2 Have all mitigating activities been completed and the FFT Affidavit has been signed by Senior Officer?

- a. As a process rule, all mitigating activities must be complete and the FFT Affidavit must be signed before the FFT can be closed. Align will not validate this automatically.

- b. If yes, and if FFT11.1 is satisfied, the record moves to FFT12 for closure.
- c. If no, move to FFT11.2.1 to wait for mitigating activities to be completed, as the record cannot be closed.

FFT11.2.1 Wait for mitigation to be complete and/or reach out for FFT Affidavit

- a. Wait for mitigation to be complete before closing the record, and reach out to obtain the signed FFT Affidavit if necessary.

FFT12 Close out FFT record

- a. The CEA adds the violation closed date to the record, and the FFT disposition record is actioned to processing complete step.
- b. *Note: the closure goes on the FFT Disposition record so if there are multiple EAs associated to the disposition, CE11.1 and CE11.2 have to be completed for every EA on the disposition record.*

FFT12.1 Receive closure notification

- b. The registered entity receives the automated email FFT closure notification.

End – End of FFT Process

Confirmed Violation Processing Process Flow Steps

Violation Processing – Off-page reference leading from Violation Processing

CV1 Create NOCV draft

- a. CEA creates a disposition of type Confirmed Violation and prepares the NOCV draft.
- b. *Note: Typically the CEA would have issued a NAVAPS disposition/notification to the registered entity prior to creating an NOCV object.*

CV2 Review NOCV draft

- a. CEA reviews the NOCV draft.
- b. *Note: the NOCV draft is reviewed outside of Align.*

CV3 Finalize NOCV draft and send NOCV

- a. CEA finalizes the NOCV and sends the NOCV notification to the entity.
- b. *Note: The CEA needs to attach the NOCV document to the NOCV notification object. If a response is requested, the CEA will need to put the appropriate due date.*

CV3.1 Receive notification of completed NOCV

- a. The registered entity is notified of the NOCV and may review it.

CV3.2 Submit penalty response?

- a. Per the ROP, the registered entity may choose to respond to the penalty determination.
- b. If yes, move to CV3.3 for receiving the penalty response.
- c. If no or the registered entity does not respond within the response deadline, move to CV7 to wait for SNOP/NOP and invoice/request for payment

CV3.3 Receive penalty response

- a. CEA receives the registered entity's penalty response.

CV3.4 Receive penalty response

- a. NERC is able to see the registered entity's penalty response in the system.

- CV4 Action Confirmed Violation record to NERC**
- CEA actions the disposition record to NERC for review.
 - Note: the CEA will either need to attach the draft filing document to the disposition object or upload the document to the secure FTP site outside of Align.*
- CV5 Review and Finalize SNOP/NOP**
- NERC either reviews the SNOP draft or creates the NOP . This will involve collaboration with the CEA.
 - The SNOP or NOP is considered finalized once it receives approval. NERC will note its approval on the disposition object.
 - For the SNOP, approval is given by NERC staff.
 - For the NOP, approval is given by the NERC Board.
 - Note: The SNOP/NOP will be an attachment to the disposition record, and will not have its own workflow. This may also be submitted via the secure FTP sites.*
 - Note: NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*
- CV6 Notify FERC of SNOP/NOP**
- NERC must notify FERC of the finalized SNOP or Full NOP by filing it through the FERC E-Filing system.
 - Note: This takes place outside of Align.*
 - Note: FERC will issue an Order on the SNOP or Full NOP. If FERC issues an approval Order, move to CV7.*
- CV7 Send SNOP/NOP and invoice/request for payment if applicable**
- The CEA sends the finalized SNOP or Full NOP to the registered entity along with an invoice or request for payment if applicable.
 - Note: The SNOP/NOP will be shared with the registered entity via secure FTP sites. Requests for payment will not be sent via Align, though they can be tracked through the use of obligations.*
- CV8 Receive SNOP/NOP and invoice/request for payment if applicable**
- The registered entity receives the finalized SNOP or Full NOP along with an invoice or request for payment if applicable.
- CV9 Have all violations been mitigated and payment has been received?**
- Before a record can be closed in the system, all Mitigation Plans and mitigating activities associated with the record must be complete. Additionally, payment must be received. FERC also has to have issued an Order approving the SNOP/NOP disposition. Note that this is a process rule, and Align will not validate this automatically.
 - If yes, move to CV10 to close out record.
 - If no, wait for completion of mitigation and payment.
- CV10 Action record to close and send Notice of Completion of Enforcement Action**
- Once all violations have been mitigated, FERC has issued an approval Order, and payment has been received, the CEA adds the closure date to the record and actions the disposition record to processing complete, which triggers the Notice of Completion of Enforcement Action to be sent.

CV10.1 Receive Notice of Completion of Enforcement Action

- a. NERC is able to see that the disposition record has been closed and view the closure date.

CV10.2 Receive Notice of Completion of Enforcement Action

- a. The registered entity receives the Notice of Completion of Enforcement Action notification email, and the record(s) status will update on the Enforcement Processing view to closed.

End – End of the Confirmed Violation Processing Process

Settlement Process Flow Steps

Violation Processing – Off-page reference leading from Violation Processing

S1 Registered entity requests settlement

- a. A registered entity may request settlement at any time during the enforcement process.
- b. *Note: This will take place outside of Align but the CEA will want to document the request for Settlement date in Align.*

S2 Calculate potential penalty

- a. CEA calculates potential penalty.
- b. *Note: the CEA will calculate the penalty outside of Align but will document the information in Align.*

S3 Create Settlement agreement

- a. The CEA creates a Settlement agreement.
- b. The creation of the Settlement agreement involves significant collaboration with the registered entity, as well as NERC on occasion.
- c. *Note: the CEA will need to share the draft Settlement agreement with NERC and registered entity outside of Align using the secure FTP sites.*
- d. *Note: the CEA will want to document the various stages of the Settlement process in Align.*

S4 Do both the CEA and the registered entity agree to the terms of Settlement?

- a. If yes, move to S5 to send the final signed Settlement agreement to NERC by attaching it to the disposition object and actioning it to NERC in Align.
- b. If no, move to S4.1 to revise the Settlement agreement.

S4.1 Should the disposition be reconsidered?

- a. The CEA needs the option to escalate the disposition if settlement cannot be reached.
- b. If yes, return to Violation Processing (Off-page reference).
- c. If no, proceed to S4.2 to revise proposed Settlement.

S4.2 Revise proposed Settlement

- a. Registered entity collaborates with CEA to revise the Settlement.

S4.3 Do both the CEA and the registered entity agree to the terms of Settlement?

- a. If yes, move to S5 to send the final signed Settlement agreement to NERC.
- b. If no, move to S4.2 to revise the Settlement agreement.

S4.4 Revise proposed Settlement

- a. CEA collaborates with registered entity to revise the Settlement.
- S5 Upload final settlement and action Settlement record to NERC**
 - a. CEA uploads the final Settlement agreement and actions the Settlement disposition record to NERC for review.
 - b. At this step, the CEA can also create obligations in Align to track completion of the terms agreed to during settlement.
- S6 Review final Settlement**
 - a. NERC reviews the final terms of Settlement that have been agreed to by the CEA and the registered entity.
- S7 Is the Settlement accepted?**
 - a. NERC has the opportunity to accept or reject the Settlement agreement.
 - b. If yes, move to S8 to approve the Settlement disposition record in Align.
 - c. If no, move to S7.1 to revise Settlement agreement.
- S7.1 Revise Settlement to include NERC feedback**
 - a. CEA works with NERC and the registered entity to incorporate NERC feedback into Settlement terms. Then return to S4.
- S8 Approve Settlement in Align**
 - a. NERC approves the Settlement disposition record and actions the record forward to the CEA.
- S9 Review and Finalize SNOP/NOP**
 - a. NERC either reviews the SNOP draft or creates the NOP. This will involve collaboration with the CEA.
 - b. The SNOP or NOP is considered finalized once it receives approval. NERC will note its approval on the disposition object.
 - i. For the SNOP, approval is given by NERC staff.
 - ii. For the NOP, approval is given by the NERC Board.
 - c. *Note: The SNOP/NOP will be an attachment to the disposition record, and will not have its own workflow.*
 - d. *Note: NERC can reject the disposition record back to the CEA during their review, but not after approving it. NERC can only create an Align filing record after they approve. This means that if NERC or FERC rejects the disposition later in the process, they will need to contact the Functional Admin to move the record backwards in the process.*
- S10 File approved Settlement with FERC**
 - a. NERC notifies FERC of the finalized SNOP or Full NOP by filing it through the FERC e-filing system.
 - b. *Note: This takes place outside of Align.*
- S11 Has FERC approved Settlement?**
 - a. If yes, move to S12 to send the SNOP/NOP and invoice/request for payment.
 - b. If no, wait for FERC to either approve or to request revisions, and if revisions are requested move to S11.1
- S11.1 Revise Settlement to include FERC feedback**
 - a. CEA works with NERC and the registered entity to incorporate FERC feedback into Settlement terms.
- S12 Send SNOP/NOP and invoice/request for payment if applicable**

- a. The CEA sends the finalized SNOP or Full NOP to the registered entity along with an invoice or request for payment if applicable.
- b. *Note: The SNOP/NOP will be shared with the registered entity via secure FTP sites. Requests for payment will not be sent via Align, though they can be tracked through the use of obligations.*

S12.1 Receive SNOP/NOP and invoice/request for payment if applicable

- a. The registered entity receives the finalized SNOP or Full NOP along with an invoice or request for payment if applicable.

S13 Have all violations been mitigated and payment has been received?

- a. Before a record can be closed in the system, all Mitigation Plans and mitigating activities associated with the record must be complete. Additionally, payment must be received. FERC also has to have issued an Order approving the SNOP/NOP disposition.
- b. If yes, move to S14 to check for other Settlement actions.
- c. If no, wait for completion of mitigation and payment.

S13.1 Should the disposition be reconsidered?

- a. The CEA needs the option to escalate the disposition if necessary.
- b. If yes, return to Violation Processing (Off-page reference).
- c. If no, return to S13 and wait for completion of activities.

S14 Have all other actions in terms of Settlement been completed?

- a. Settlement agreements may include other terms such as “Above and Beyond” actions or other obligations.
- b. If yes, move to S15 to close record.
- c. If no, wait for all other Settlement actions to be completed.

S15 Action record to close and send Notice of Completion of Enforcement Action

- a. Once all violations have been mitigated, FERC has issued an approval Order, all obligations have been met, and payment has been received, the CEA actions the disposition record to processing complete, which triggers the Notice of Completion of Enforcement Action and closes the record.

S15.1 Receive Notice of Completion of Enforcement Action

- a. NERC is able to see that the disposition record has been closed and view the closure date.

S15.2 Receive Notice of Completion of Enforcement Action

- a. The registered entity receives the Notice of Completion of Enforcement Action notification email, and the record(s) status will update on the Enforcement Processing view to closed.

End – End of Settlement Process

Enforcement – Business Rules

Below are all business rules captured for Enforcement as a part of the business process harmonization work:

- The fields of a PNCR must be able to be edited until the EA is created. The fields of an EA must be able to be edited up until the EA is closed.
- A Region cannot issue any dismissal to a Compliance Investigation before NERC has the opportunity to review, however this will not be enforced in Align as this is a fringe case – NERC approval will take place outside of Align.
- If FERC is leading an audit or other activity that results in a dismissal, both NERC and FERC must approve the dismissal.
- A PNC or Possible Violation may be dismissed at any time.
- Areas of Concern (AOCs) may need to be tracked as part of the enforcement process in the future. Note this is not implemented in Release 1 of Align, but is a consideration for Release 3 when Audit functionality is implemented.
- NERC notifications/dashboard: The NERC view of the tool should include a dashboard that will show notifications for the following activities:
 - New violations
 - Dismissal letter sent
 - NAVAPS issued
 - Mitigation Plans accepted by the CEA
 - NOCV issued
 - Settlement accepted by the CEA
- Dispositions should not be able to be processed without ensuring the correct corresponding notification has been sent to the registered entity.
- Please refer to the Rules of Procedure for all business rules related to timelines.

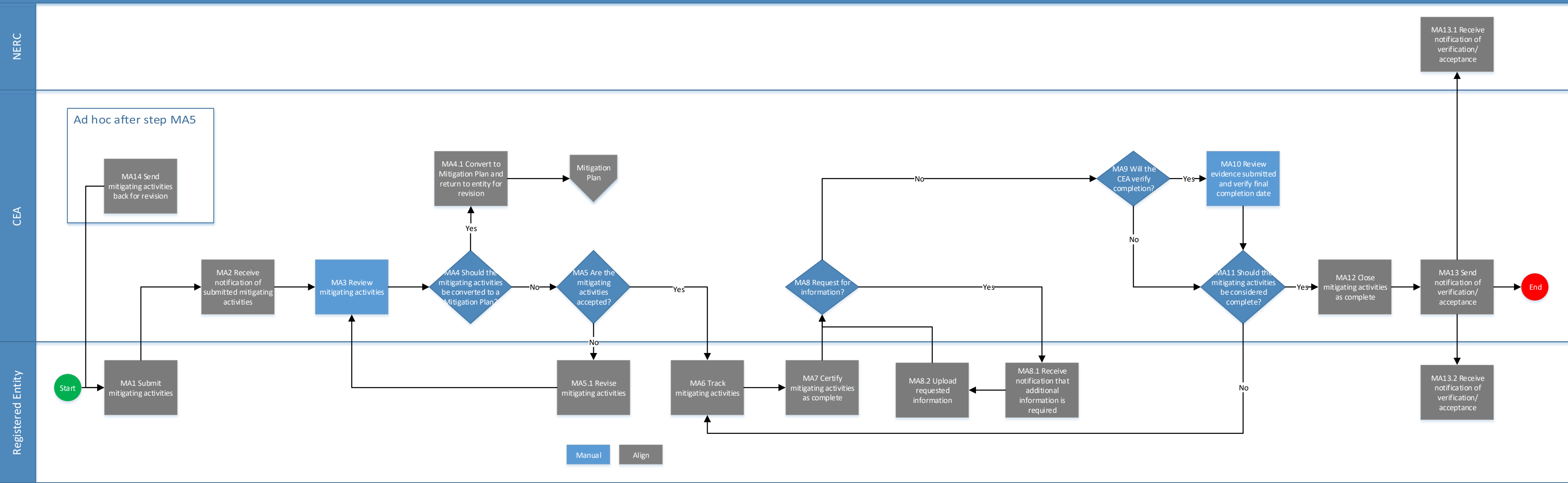
Enforcement – Notifications

Notification Name	Who does it go to?	Description (Trigger)
PNC has been linked to an existing EA	Entity (PCC and all ACCs) NERC (distribution list defined by role)	This notification should fire when a PNC is linked to an existing EA On the PNC Approval step - from PNC Review to Processing Complete.
Review and Respond to RFI	Entity (PCC, all ACCs)	Respondent is notified there is an open RFI for them to respond to when the RFI is sent When RFI moves from Create to Registered Entity Processing

Review CEA Comments on RFI and Submit Revised Response	Entity (PCC, all ACCs)	<p>Respondent is notified the creator deems the RFI incomplete and needs additional information; when RFI is sent back to the entity from the CEA</p> <p>RFI Approval workflow. When RFI moves from CEA Review to Registered Entity Processing</p>
RE has been sent a Notification	Entity (PCC and all ACCs, and PCO)	<p>This notification is sent when a Notification record is sent to the entity (i.e. dismissal letter, CE letter, FFT letter, etc.)</p> <p>On the notification approval from Create to Registered Entity processing</p>
RE receives notification CE/FFT has been completed	Entity (PCC and all ACCs, and PCO)	<p>This notification is sent when a Disposition record moves from pending closure to processing complete</p> <p>Condition - disposition type = Compliance Exception OR Find Fix Track</p>
Notification of Completion of Enforcement Action (Settlement/NOCV)	Entity (PCC, all ACCs, and PCO)	<p>This notification is sent when a Disposition record moves from pending closure to processing complete</p> <p>Condition - disposition type = Settlement OR Confirmed Violation</p>

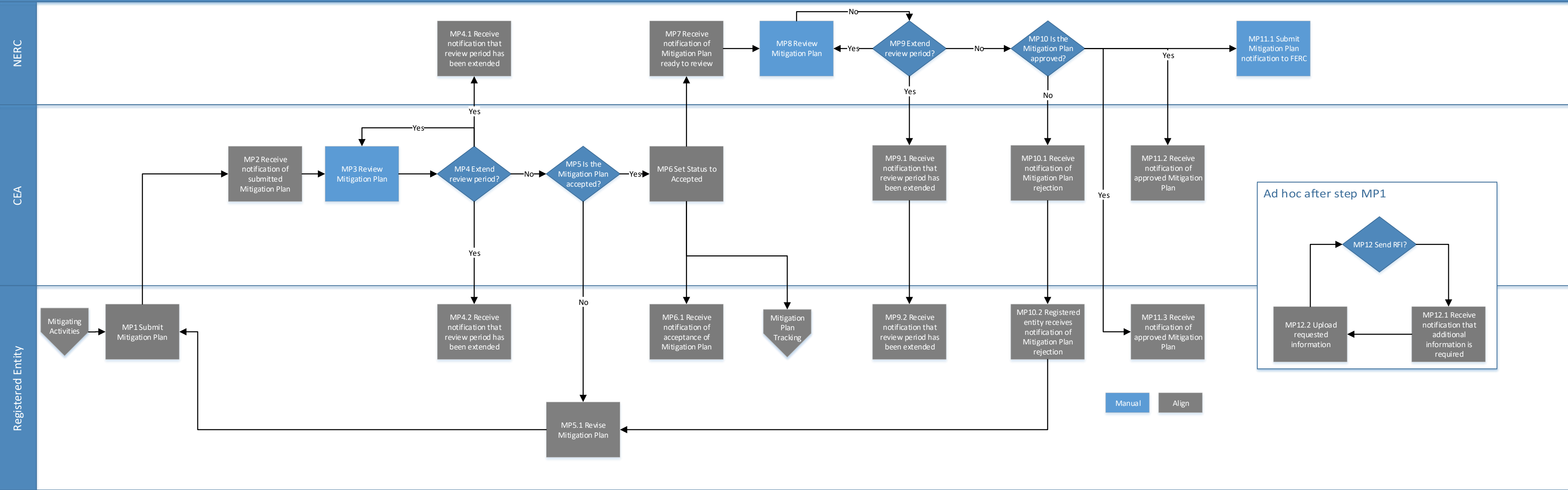
Mitigating Activities

Mitigating Activities Initiation & Acceptance



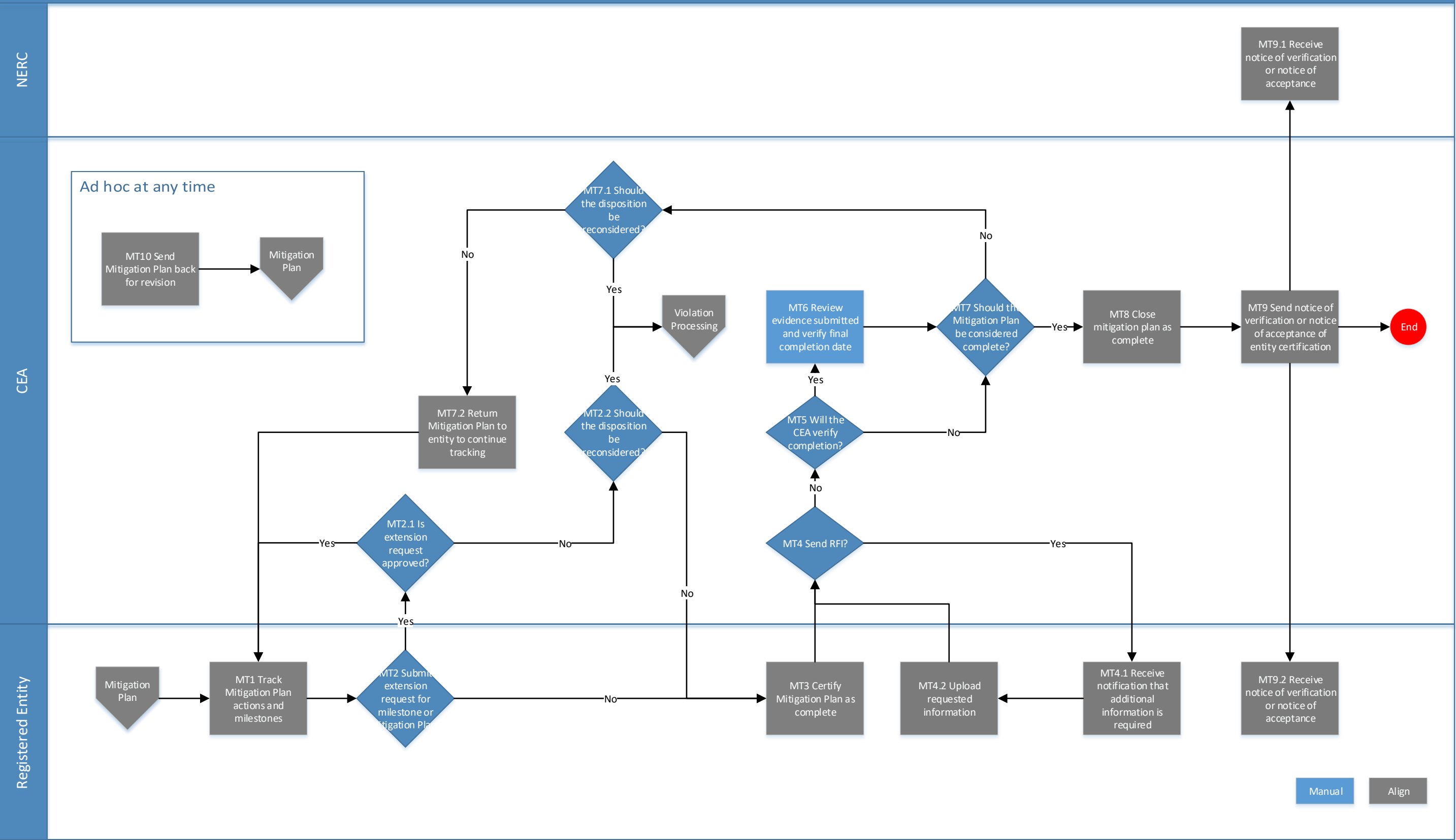
Mitigation Plan

Mitigation Plan Initiation & Acceptance



Mitigation Plan

Mitigation Plan Tracking & Verifying Completion



Mitigation Process Flow Reference Guide

Overall Goal: Harmonize the Mitigation Processes

Inputs

- Regional processes and artifacts used in the mitigation processes.

Rigid Core/Flexible Edge Goals

- The result should provide the same user experience for all registered entities.
- The result should **not require** changes to the organizational structures of the Regional Entities.

Outputs

- Standardized forms and notification templates that can be used in all regions.
- A business process diagram that shows a standardized process for collaborating with registered entities that can be implemented by all Regional Entities.
- Defined and documented business rules regarding mitigation processes.

Mitigating Activities Process Flow Steps

Start – Start of Mitigating Activities Process – a registered entity may submit mitigating activities at any time

MA1 Submit mitigating activities

- a. A registered entity submits mitigating activities at any time, including the option to submit at the same time as a self-report or self-log.

MA2 Receive notification of submitted mitigating activities

- a. The mitigation record becomes visible in the CEA “Mitigations Awaiting My Review” dashboard and the “My Align” dashboard.

MA3 Review mitigating activities

- a. The CEA reviews the mitigating activities to determine if they are sufficient.

MA4 *Should the mitigating activities be converted to a Mitigation Plan?*

- a. The CEA has the option to convert mitigating activities to a Mitigation Plan if they deem it necessary.
- b. If yes, move to MA4.1, converting the record to a Mitigation Plan and returning to the entity for revision.
- c. If no, move to MA5 to accept or reject the mitigating activities.

MA4.1 Convert to Mitigation Plan and return to entity for revision

- a. The CEA chooses the action “Submit as Mitigation Plan”, which converts the record to a Mitigation Plan and sends it to the beginning of the Mitigation Plan process (step MP1 – Off-page reference).

MA5 *Are the mitigating activities accepted?*

- a. The CEA may accept or request resubmittal of mitigating activities.

- b. If yes, the mitigating activities record moves to the Active workflow step, and the process moves to MA6 to track mitigating activities.
- c. If no, the CEA chooses the “Resubmit” action, which moves the mitigation record back to the registered entity for revision in step MA5.1.

MA5.1 Revise mitigating activities

- a. The registered entity revises the mitigating activities per the CEA request, then move to MA3 for CEA review.

MA6 Track mitigating activities

- a. The registered entity tracks mitigating activities within the tool.
- b. *Note: The CEA will be able to see the dates for completion and track as necessary. The registered entity is expected to update the completion date within the tool once it has completed the milestone.*

MA7 Certify mitigating activities as complete

- a. Upon completion of all mitigating activities, the registered entity certifies that they are complete and actions the record to the CEA for verification.
- b. *Note: If the entity is uploading evidence of completion upon request by the CEA, that evidence must be uploaded to the Evidence Locker and NOT Align.*

MA8 Request for information?

- a. The CEA may require further information from the applicable registered entity in order to verify completion.
- b. If yes, the CEA will issue an RFI to the registered entity and move to MA8.1.
- c. If no, the CEA will move to MA9 to choose whether or not to verify completion.

MA8.1 Receive notification that additional information is required

- a. Registered entity receives the RFI.

MA8.2 Upload requested information

- a. The entity supplies the requested information and actions the RFI record back to the CEA.
- b. Return to MA8, where the CEA may choose to accept the RFI as complete or resend it back to the entity as incomplete.
- c. *Note: If the entity is supplying evidence, that evidence must be uploaded to the Evidence Locker and NOT Align, but the RFI must still be actioned back to the CEA via Align to indicate completion.*

MA9 Will the CEA verify completion?

- a. The CEA has the option to verify the completion of the mitigating activities, but this is not required.
- b. If yes, move to MA10 to review evidence.
- c. If no, move to MA11 to choose whether or not the mitigating activities should be considered complete.

MA10 Review evidence submitted and verify final completion date

- a. The CEA reviews the evidence submitted to the Evidence Locker concerning the mitigating activities certification in order to verify completion and determine the final completion date.

MA11 Should the mitigating activities be considered complete?

- a. The CEA decides whether or not the mitigating activities should be considered complete.
- b. If yes, document the actual completion date and move to MA12 to close the mitigating activities.
- a. If no, return to MA6 to continue to track completion. The entity will be notified, and the CEA can use comments or RFIs to gather required information for certification acceptance.
- c. *Note: This often involves verification of completion by reviewing evidence, though this is not explicitly required.*

MA12 Close mitigating activities as complete

- a. The CEA makes any final updates, chooses “Complete” or “Verified Complete” as the next action, and actions the record forward to the Processing Complete step.
- b. *Note: the CEA would select “Complete” if they did not verify the completion of the mitigation actions and the CEA would select “Verified Complete” if they did verify the completion of the mitigation actions. The CEA has the ability to capture an explanation on the review.*

MA13 Send notification of verification/acceptance

- a. If the CEA has verified the completion of the mitigating activities, Align will send a notification of verification to the registered entity and NERC can see the completion in Align.
- b. If the CEA has elected not to verify the completion of the mitigating activities, Align will send a notification of acceptance to the registered entity and NERC can see the completion in Align.
- c. *Note: Align will send these notifications automatically depending on whether “Verified Complete” or “Complete” was chosen for the action in step MA12.*

MA13.1 Receive notification of verification/acceptance

- a. The mitigation shows as complete for NERC in Align.

MA13.2 Receive notification of verification/acceptance

- a. The registered entity receives the notification of verification/acceptance, and the mitigation record appears on the Active Mitigations view with a status of “Complete”.

MA14 Send mitigating activities back for revision

- a. At any point after step MA5, the CEA may decide to return the mitigating activities to the entity for revision.
- b. This option may be chosen due to an expansion of scope of the noncompliance or any other reason.
- c. If this option is taken, the mitigating activities will be returned to the first step of the Mitigating Activities process, MA1.

End – End of Mitigating Activities Process

Mitigation Plan Process Flow Steps

Mitigating Activities – Off page reference leading from Mitigating Activities (Mitigation Plan can only be submitted once CEA has converted mitigating activities to a Mitigation Plan)

MP1 Submit Mitigation Plan

- a. The registered entity identifies a MP Contact and completes the interim risk statement, then submits the Mitigation Plan after the CEA converts mitigating activities to a Mitigation Plan. The My Align Dashboard for entities will show the record that action is required for.
- b. *Note: The Mitigation Plan milestones have to be less than three months apart, and must include the milestone type and planned completion date.*

MP2 Receive notification of submitted Mitigation Plan

- a. The Mitigation Plan becomes visible in the CEA “Mitigations Awaiting My Review” dashboard and a due date of 30 days is associated with Mitigation Plan review.

MP3 Review Mitigation Plan

- a. The CEA reviews the Mitigation Plan to determine if it will be accepted.

MP4 Extend review period?

- a. The CEA may choose to extend the review period per the ROP.
- b. If yes, Align will send notification to registered entity and NERC that the review period has been extended (MP4.1), then return to MP3 to continue review of the Mitigation Plan. The CEA has the ability to capture the revision explanation, but only the comments in the general “CEA Comments Shared with Entity” field will be visible to the entity.
- c. If no, continue to MP5 to accept or reject the Mitigation Plan.

MP4.1 Receive notification that review period has been extended

- a. NERC is notified that the review period has been extended for the Mitigation Plan.

MP4.2 Receive notification that review period has been extended

- a. The registered entity is notified that the review period has been extended for the Mitigation Plan.

MP5 Is the Mitigation Plan accepted?

- a. The CEA has the option to accept or reject the Mitigation Plan.
- b. If yes, continue to MP6 to set status of the Mitigation Plan to accepted.
- c. If no, notify the registered entity in MP5.1 so that they may revise the Mitigation Plan.

MP5.1 Revise Mitigation Plan

- a. The registered entity receives a notification that the Mitigation Plan was not accepted, makes revisions to the Mitigation Plan, and resubmits.
- b. Revisions could be required due to a request for revision or a rejection from either the CEA or NERC.

MP6 Set Status to Accepted

- a. CEA actions the mitigation record forward as Accepted, which sends the record to NERC for review. (MP7)
- b. Once the CEA has accepted the Mitigation Plan, the registered entity will be notified (MP6.1) and begin tracking the plan (Mitigation Plan Tracking Process – Off-page reference).

MP6.1 Receive notification of acceptance of Mitigation Plan

- a. Registered entity receives notification that the Mitigation Plan has been accepted.

MP7 NERC Receives notification of Mitigation Plan ready to review

- a. The mitigation record becomes visible to NERC in their “Mitigations Awaiting Review” dashboard and a due date of 30 days is associated with Mitigation Plan review.

MP8 NERC Reviews Mitigation Plan

- a. NERC reviews the Mitigation Plan to determine if they will approve.
- b. *Note: NERC may send an RFI request via Align at this step.*

MP9 Extend review period?

- a. NERC may choose to extend the review period.
- b. If yes, send notification to the CEA and the registered entity that the review period has been extended (MP9.1 and MP9.2), then return to MP8 to continue to review the Mitigation Plan. NERC has the ability to record the revision explanation.
- c. If no, move to MP10 to decide to approve or reject the Mitigation Plan.

MP9.1 Receive notification that review period has been extended

- a. The CEA is notified that the NERC review period has been extended.

MP9.2 Receive notification that review period has been extended

- a. The registered entity is notified that the NERC review period has been extended.

MP10 Is the Mitigation Plan approved?

- a. NERC has the option to approve or reject the Mitigation Plan.
- b. If yes, move to notify FERC (MP11.1), the CEA (MP11.2), and the registered entity (MP11.3) – See note on MP11.1
- c. If no, move to MP10.1 to notify the CEA that the Mitigation Plan has been rejected.

MP10.1 Receive notification of Mitigation Plan rejection

- a. CEA receives notification that the Mitigation Plan has been rejected and the process returns to MP5.1.

MP10.2 Registered entity receives notification of Mitigation Plan rejection.

- a. NERC notifies the registered entity that the Mitigation Plan has been rejected and the process returns to MP5.1.

MP11.1 Submit Mitigation Plan notification to FERC

- a. NERC notifies FERC that a Mitigation Plan has been approved. NERC has to notify FERC within 7 business days after approval.
- b. *Note: Non-US Jurisdiction MPs do not go to FERC*
- c. *Note: Reporting mitigation to FERC will take place outside of Align, however it will be tracked in Align via the “FERC Reporting” dashboard. NERC will mark the date it sends the Mitigation Plan to FERC in Align under the FERC Reporting tab.*

MP11.2 Receive notification of approved Mitigation Plan

- a. The CEA is notified that the Mitigation Plan has been approved, and the mitigation record moves to the Active workflow step.

MP11.3 Receive notification of approved Mitigation Plan

- a. The registered entity is notified that the Mitigation Plan has been approved and the mitigation record moves to the Active workflow step.

MP12 Send RFI?

- a. The CEA may request more information at any time after an entity has submitted a Mitigation Plan (step MP1).

MP12.1 Receive notification that additional information is required

- a. The registered entity is notified of the request for information.

MP12.2 Upload requested information

- a. The entity supplies the requested information and actions the RFI record back to the CEA.
- b. Return to MP12, where the CEA may choose to accept the RFI as complete or resend it back to the entity as incomplete.
- c. *Note: If the entity is supplying evidence, that evidence must be uploaded to the Evidence Locker and NOT Align, but the RFI must still be actioned back to the CEA via Align to indicate completion.*

Mitigation Plan Tracking Process Flow Steps

Mitigation Plan – Off-page reference leading from Mitigation Plan

MT1 Track Mitigation Plan actions and milestones

- a. The registered entity tracks Mitigation Plan actions and milestones within the tool.
- b. *Note: Per the ROP – The Registered Entity shall provide updates at least quarterly to the Compliance Enforcement Authority on the progress of the Mitigation Plan. The registered entity is expected to update the completion date within the tool once it has completed the milestone.*

MT2 Submit extension request for milestone or Mitigation Plan?

- a. The registered entity may request an extension in order to meet a milestone or to meet the Mitigation Plan completion date.
- b. If yes, move to MT2.1 for CEA to approve or deny.
- c. If no, proceed tracking milestones until moving to MT3 for Mitigation Plan completion.

MT2.1 Is extension request approved?

- b. If yes, return to MT1 to continue to track Mitigation Plan and update the expected completion date of the milestone (note Align updates the expected completion date automatically when the CEA accepts the extension request).
- c. If no, move to MT2.2 to decide if escalation is necessary.

MT2.2 Should the disposition be reconsidered?

- a. The CEA must have the option to escalate the disposition path if the registered entity is not adhering to their Mitigation Plan.
- b. If yes, the violation moves back to Violation Processing (Off-screen reference) for further consideration. The Mitigation Plan will remain in its current state.
- c. If no, move to MT3 to await Mitigation Plan completion.

MT3 Certify Mitigation Plan as complete

- a. Upon completion of all actions laid out in the Mitigation Plan, the registered entity will discuss any scope changes due to mitigation and update the record. The entity then certifies that it is complete, and actions the mitigation record to the CEA for verification.
- b. *Note: If the entity is uploading evidence of completion, that evidence must be uploaded to the Evidence Locker and NOT Align.*

MT4 Send RFI?

- b. The CEA may request more information to verify the completion of a Mitigation Plan.

MT4.1 Receive notification that additional information is required

- b. The registered entity is notified of the request for information.

MT4.2 Upload requested information

- d. The entity supplies the requested information and actions the RFI record back to the CEA.
- e. Return to MT4, where the CEA may choose to accept the RFI as complete or resend it back to the entity as incomplete.
- f. *Note: If the entity is supplying evidence, that evidence must be uploaded to the Evidence Locker and NOT Align, but the RFI must still be actioned back to the CEA via Align to indicate completion.*

MT5 Will the CEA verify completion?

- a. The CEA may choose whether or not they verify the completion of the Mitigation Plan.
- b. If yes, move to MT6 to review evidence for verification.
- c. If no, move to MT7 to determine if the Mitigation Plan is complete.

MT6 Review evidence submitted and verify final completion date

- a. The CEA may review any of the evidence submitted to the Evidence Locker concerning the Mitigation Plan in order to verify completion and determine the final completion date.

MT7 Should the Mitigation Plan be considered complete?

- a. The CEA decides whether or not the Mitigation Plan should be considered complete.
- b. If yes, document the actual completion date and move to MT8 to close the Mitigation Plan.
- d. If no, move to MT7.1 to decide if escalation is necessary or if the entity should recertify their completion.
- c. *Note: This often involves verification of completion by reviewing evidence, though this is not explicitly required.*

MT7.1 Should the disposition be reconsidered?

- a. The CEA must have the option to escalate the disposition path if the registered entity is not adhering to their Mitigation Plan.
- b. Alternatively, the Mitigation Plan may simply require recertification due to insufficient evidence, incorrect completion dates, etc.
- c. If yes (escalation), the violation moves back to Violation Processing (Off-screen reference) for further consideration. The Mitigation Plan will remain in its current state.
- d. If no (recertification), move to MT7.2 to return the Mitigation Plan to the entity.

MT7.2 Return Mitigation Plan to entity to continue tracking

- a. The CEA actions the Mitigation Plan back to the entity with feedback for further revision and/or tracking (begin again at step MT1).

MT8 Close mitigation plan as complete

- a. The CEA makes any final updates, chooses “Complete” or “Verified Complete” as the next action, and actions the record forward to the Processing Complete step.
- b. *Note: the CEA would select “Complete” if they did not verify the completion of the mitigation actions and the CEA would select “Verified Complete” if they did verify the completion of the mitigation actions. The CEA has the ability to capture an explanation on the review.*

MT9 Send notice of verification or notice of acceptance of entity certification

- a. If the CEA has verified the completion of the Mitigation Plan, Align will send a notification of verification to the registered entity and NERC can see the completion in Align.
- b. If the CEA has elected not to verify the completion of the Mitigation Plan, Align will send a notification of acceptance to the registered entity and NERC can see the completion in Align.
- c. *Note: Align will send these notifications automatically depending on whether “Verified Complete” or “Complete” was chosen for the action in step MT8.*

MT9.1 Receive notice of verification or notice of acceptance

- a. The mitigation shows as complete for NERC in Align.

MT9.2 Receive notice of verification or notice of acceptance

- a. The registered entity receives the notice of verification or notice of acceptance, and the Mitigation Plan appears on the Active Mitigations view with a status of “Complete”.

MT10 Send Mitigation Plan back for revision

- a. At any point during the Mitigation Plan Tracking process, the CEA may decide to return the Mitigation Plan to the entity for revision.
- b. This option may be chosen due to an expansion of scope of the noncompliance or any other reason.
- c. If this option is taken, the Mitigation Plan will be returned to the first step of the Mitigation Plan process, MP1.

End – End of Mitigation Plan Tracking Process

Mitigation – Business Rules

Below are all business rules captured for Mitigation as a part of the business process harmonization work:

- There are many business rules related to the timing of different steps of the Mitigation Plan process. These are captured in the ROP.
- All mitigation will initially be submitted as mitigating activities.
- The CEA should be able to request a revision to mitigating activities that allows them to convert the record to a formal Mitigation Plan.
- If the entity wants to submit a MP, per ROP, they have to ask the CEA to convert the submitted mitigation activities to a formal Mitigation Plan.
- Mitigation Plans must have milestones at least every 3 months.
- Mitigation Plans require a Certification from an officer, employee, attorney, or other authorized representative of the registered entity to be considered complete, while mitigating activities do not.
- Mitigation Plans must be able to be revised to include an expanded scope if necessary.
- Please refer to the Rules of Procedure for all business rules related to timelines.

Mitigation – Notifications

Notification Name	Who does it go to?	Description (Trigger)
CEA Mitigation Rejection	Entity (PCC, all ACCs) NERC (distribution list defined by role)	RE receives notification that CEA rejects the proposed MA/MP (applies to both types). This triggers when the mitigation record moves from CEA Processing to Draft Mitigation approval workflow From CEA Processing to Draft
RE receives notification of CEA Acceptance of MA	Entity (PCC, all ACCs) NERC (distribution list defined by role)	CEA Accepts Mitigating Activities Mitigation approval When mitigation moves from CEA Processing to Active
RE receives notification Mitigating Activity has been converted to Mitigation Plan	Entity (PCC and all ACCs)	When Mitigation record is returned to the entity by choosing "Submit as Mitigation Plan" in the "CEA Review Results" field Mitigation Approval workflow When mitigation moves from CEA Processing to Draft, with "Submit as Mitigation Plan" condition
RE receives notification of CEA Review Period extension	Entity (PCC, all ACCs) NERC (distribution list defined by role)	This notification gets sent when the CEA changes the "Revised CEA Due Date" field
RE receives notification of CEA Acceptance of MP	Entity (PCC, all ACCs) NERC (distribution list defined by role)	CEA Accepts Mitigation Plan Mitigation Approval workflow When mitigation moves from CEA Processing to NERC Processing

NERC Mitigation Plan Rejection	<p>Entity (PCC, person in the "Mitigation Contact" field)</p> <p>CEA (multiple emails and distribution lists - need B Wise help)</p> <p>NERC (distribution list defined by role)</p>	<p>When NERC rejects a mitigation plan</p> <p>Mitigation approval workflow</p> <p>When mitigation moves from NERC Processing to Draft</p>
RE receives notification of NERC Review Period extension	<p>Entity (PCC, person in the "Mitigation Contact" field)</p> <p>CEA (multiple emails and distribution lists - need B Wise help)</p> <p>NERC (distribution list defined by role)</p>	<p>This notification gets sent when NERC changes the "Revised NERC Due Date" field</p>
RE receives notification of NERC Approval of MP (US Jurisdiction)	<p>Entity (PCC, person in the "Mitigation Contact" field)</p> <p>CEA (multiple emails and distribution lists - need B Wise help)</p> <p>NERC (distribution list defined by role)</p>	<p>When NERC approves a mitigation plan (moves from NERC Processing to Active workflow step)</p>
Mitigation Milestone date changed	<p>Entity (PCC and all ACCs)</p> <p>NERC (distribution list defined by role)</p>	<p>This fires when the "Planned Completion Date" on a milestone is updated.</p> <p>Note: this field is updated automatically when the CEA accepts a milestone extension request</p>
Mitigation Plan Certification Rejection	<p>Entity (PCC, all ACCs)</p>	<p>RE receives notification that CEA determined their mitigation is incomplete</p> <p>On Mitigation approval. When mitigation moves from Verification to Active</p>

RE receives notification of CEA Verification	Entity (PCC, all ACCs)	<p>This notification is sent when the CEA verifies completion of mitigation ("CEA Review Results" field = Verified Complete)</p> <p>On Mitigation approval. When mitigation moves from Verification to Completion with the above condition</p>
Notification of CEA Acceptance of Certification	Entity (PCC, all ACCs)	<p>This notification is sent when the CEA accepts the completion of mitigation without verification ("CEA Review Results" field = Complete)</p> <p>On Mitigation approval. When mitigation moves from Verification to Completion with the above condition</p>