

File No. 126578

Committee Item No. 10
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 6/7/12

Board of Supervisors Meeting

Date _____

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Linda Wong
Completed by: _____

Date 6/4/12
Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Settlement of Alleged Violations of the North American Electric Reliability Corporation
2 Standards and Payment of a \$50,000 Penalty.]
3

4 **Resolution approving a settlement of the unlitigated Notice of Alleged Violation filed by**
5 **the Western Electricity Coordinating Council against Hetch Hetchy Water and Power on**
6 **September 30, 2011, with respect to alleged violations of the North American Electric**
7 **Reliability Corporation Reliability Standards.**

8 WHEREAS, on September 30, 2011, the Western Electricity Coordinating Council
9 (WECC) filed a Notice of Alleged Violation (violation numbers WECC201102820,
10 WECC201102865, WECC201102866, WECC201102870, WECC201102872,
11 WECC201102882), alleging that Hetch Hetchy Water and Power (HHWP), a part of the San
12 Francisco Public Utilities Commission (PUC) violated the North American Electric Reliability
13 Corporation (NERC) reliability standards applicable to HHWP as a Generator Owner and
14 Transmission Operator; and

15 WHEREAS, HHWP and WECC engaged in settlement discussions related to the
16 Notice of Alleged Violations and agreed to resolve this matter as stated in the confidential
17 Settlement Agreement on file with the Clerk of the Board in File No. [120578], which
18 will become public after it is approved by NERC and filed with the Federal Energy Regulatory
19 Commission, pursuant to Rule 403, pursuant to Section 12 of the Rules of Procedure of the
20 North American Electric Reliability Corporation, and Appendix 4C to the Rules of Procedure of
21 the North American Electric Reliability Corporation, Section 5.6; and

22 WHEREAS, the Settlement Agreement provides that:

23 (1) HHWP shall pay a penalty of \$50,000 for the alleged violations; and

24 (2) the terms of the Settlement Agreement, including the penalty amount, are

25 subject to review and approval by NERC and Federal Energy Regulatory Commission; and

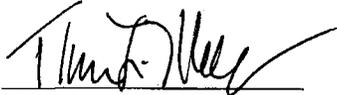
1 WHEREAS, The General Manager of the PUC and the City Attorney have
2 recommended settlement of said Notice of Alleged Violation by entering into the Settlement
3 Agreement and payment of \$50,000; now, therefore, be it

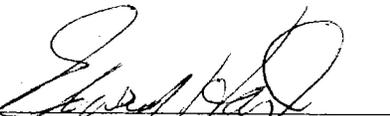
4 RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code,
5 settlement and compromise of the Notice of Alleged Violation by payment of a \$50,000
6 penalty, as set forth in the Settlement Agreement, is hereby approved; and be it

7 FURTHER RESOLVED, That \$50,000 is appropriated from the Hetch Hetchy Water
8 operating budget for payment of the penalty set forth in the Settlement Agreement.
9

10
11 APPROVED:
DENNIS J. HERRERA, City Attorney

RECOMMENDED:
PUBLIC UTILITIES COMMISSION

12
13
14 By: 
THERESA L. MUELLER
15 Deputy City Attorney

By: 
EDWARD HARRINGTON
16 General Manager

17 FUNDS AVAILABLE:


18 Ben Rosenfield
19 Controller
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