

171 FERC ¶ 61,063  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

April 21, 2020

In Reply Refer To:  
Lincoln Electric System  
Docket Nos. TS20-3-000  
OA12-5-001  
OA04-1-001

Lincoln Electric System  
1040 O Street  
Lincoln, NE 68501-0869

Attention: Shelley Sahling-Zart

Dear Ms. Sahling-Zart:

1. On January 9, 2020, Lincoln Electric System (Lincoln) filed a notice of its voluntary relinquishment of the Partial Waiver of the Standards of Conduct that the Commission had granted Lincoln on September 20, 2004 in Docket No. OA04-1-000,<sup>1</sup> regarding the independent functioning requirement and informational sharing provisions of Part 358 of the Commission's regulations.<sup>2</sup> Lincoln also seeks to withdraw an August 5, 2012 Notice of Withdrawal of the Requests for Renewal of Waiver of Standards of Conduct and an Extension of Time to Comply with the Standards of Conduct in Docket No. OA12-5-000.

2. In the January 2020 filing, Lincoln states that it has devoted significant resources to achieving full compliance with the Commission's Standards of Conduct. Specifically, Lincoln states that it has: (1) shifted transmission functions previously performed by marketing function employees to non-marketing personnel; (2) comprehensively evaluated its systems and processes, and revised permissions and controls to ensure marketing function employees have no access to non-public transmission function information within those systems and processes; (3) instituted additional physical security

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<sup>1</sup> *Order on Request for Waivers from the Standards of Conduct*, 108 FERC ¶ 61,243, at P 99 (2004) (waiving 18 C.F.R. pt. 358).

<sup>2</sup> 18 C.F.R. pt. 358 (2019).

measures that deny marketing function employees' access to transmission control room facilities; (4) updated its Standards of Conduct Implementation and Compliance Procedures and Standards of Conduct training materials to reflect that it has relinquished its partial waiver, and made those materials available to all employees on its intranet; (5) conducted annual Standards of Conduct training for new employees; (6) removed all references to the partial waiver from its Open Access Same Time Information System and website; (7) designated a Chief Compliance Officer responsible for Standards of Conduct and oversight of Lincoln's Standards of Conduct documentation, policies and training; (8) separated its transmission and marketing functions, and operated under, and complied with, the Standards of Conduct since March 1, 2017; and (9) posted on the internet and made publicly available its procedures to implement the Standards of Conduct.<sup>3</sup>

3. Based on its assertions, we hereby accept Lincoln's notices withdrawing its request for renewal of its Standards of Conduct waiver and relinquishing its partial waiver of Part 358.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>3</sup> See

[http://www.oatiaoasis.com/LES/LESdocs/LES\\_Implementation\\_and\\_Compliance\\_Procedures.pdf](http://www.oatiaoasis.com/LES/LESdocs/LES_Implementation_and_Compliance_Procedures.pdf) (last visited April 7, 2020).