Manual 14B Update
Critical Energy Infrastructure Information (CEII)
Rule Changes

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CEII Background

- FERC collected data through the FERC-715 filing for public use
- After 9/11 the FERC-715 was taken out of public viewing because data within was considered to be useful to a terrorist (i.e. CEII)
- CEII procedures were instituted so that people with a need for this data could still get it
- PJM mimicked the FERC procedures for staff of PJM Member companies
  - Individuals fill out the PJM CEII Request form and execute the PJM CEII NDA
- Non-members required to submit CEII requests to FERC
- The new rules have practically no change to the PJM Member process
Reason for Changes

- Consistency with the Commission’s standards for handling CEII materials
- Revise the process for non-Member request of CEII materials
  - PJM vetting instead of FERC vetting
- Add the use of organizational NDAs in certain circumstances
Adding the A.1 Definition from FERC

• Being very clear by stating the FERC definition
• PJM adopts the Federal Energy Regulatory Commission’s definitions of Critical Energy Infrastructure Information (“CEII”) and Critical Infrastructure at 18 CFR §388.113 (c) as follows:
• Critical Energy Infrastructure Information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:
  – Relates details about the production, generation, transportation, transmission, or distribution of energy;
  – Could be useful to a person in planning an attack on critical infrastructure;
  – Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
  – Does not simply give the general location of the critical infrastructure.
(2) Critical Infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.
A.2 Introduction:

- The general intent behind PJM’s CEII rules
  - consistency with the Commission’s standards for handling CEII materials
- Includes nonexclusive discussion on what is considered CEII including a power flows and some information included in the FERC-715 filing
- Clarify that there may be other information which qualifies as CEII under the Commission’s definition
- In A.2.3, we address the treatment of confidential member data which may be included with CEII materials but requires compliance with Operating Agreement Confidential Information Procedures before it can be released
A.3.1 This section lists the rules applicable to different categories of CEII requesters:

- A.3.1.1: These are rules applicable individuals working for Authorized Entities (e.g. members, TOs, TOPs, ICs, RTOs, PCs, etc.). All that is required is that PJM verify the CEII requester is an employee of one of the Authorized Entities before accepting the application and signing the appropriate NDA. This section also provides for an organizational CEII request and for Authorized Entities;
- A.3.1.2: These are the rules for individuals working for federal agencies (i.e. FERC, DOH, and DOE) and NERC/NERC Regional Entities which require a confirmation that the requester is an employee of the agency/NERC and the CEII materials are subject to the agency’s rules of procedures applicable to CEII in order to receive such CEII;
- A.3.1.3: These are the rules for individuals working for state commissions which are similar to A.3.1.1 Authorized Entities CEII requesters; and
A.3.1.4: This last category of requester for any other CEII requesters not included in the previous categories

- (1) establishing whether a requester has presented a legitimate need for the CEII; and
- (2) weighing the need for the CEII against the potential harmful effects of its release
- PJM will confirm the authenticity of the CEII requester and whether the request is consistent with the requestor’s business or educational interest as determined from a review of publicly available data such as the requestor company’s website
- Finally, PJM reserves the right to require a requester to provide additional information (beyond the PJM CEII Request Form) to PJM