



www.lppc.org

## The Large Public Power Council

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June 7, 2011

Members, House Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515-6115

Re: Cyber Security Legislation

Dear Representatives:

I am writing on behalf of the Large Public Power Council (LPPC) to voice our serious concerns regarding cyber security legislation currently being developed in the House Energy and Commerce Committee.

The proposed bill, as drafted, would seriously undermine the current North American Electric Reliability Corporation (NERC) standards-making process while creating confusion and increasing costs without fostering cyber security. Additionally, the draft bill defines "defense critical electric infrastructure" in a way that gives the Federal Energy Regulatory Commission (FERC) authority over local distribution assets – authority that is now the province of state and local regulators.

As your committee begins to consider legislation to address cyber security threats, we urge you to modify the bill to:

- 1) Preserve NERC's ability to develop standards to address cyber security vulnerabilities, and leave development of those standards as part of the NERC process. We believe that the NERC process is an excellent example of public-private partnership to protect cyber security
- 2) Ensure the cyber protection of electric facilities used to serve "Defense Critical Electric Infrastructure" by means other than expanding the authority of the federal government over local distribution assets, for example, by directing the Department of Defense, and Department of Energy to work with each critical defense facility and the local utility that serves it to develop a plan that will provide adequate cyber protection.

The Large Public Power Council represents 25 of the largest locally owned and operated not-for-profit electric systems in the nation. LPPC member utilities are located in 11 states and Puerto Rico; and own and operate more than 86,000 megawatts of generation capacity and over 35,000 circuit miles of high voltage transmission lines. LPPC member utilities supply electricity to some of the largest cities in the country -- including Los Angeles, Seattle, Omaha, Phoenix, Sacramento, Jacksonville, San Antonio, Orlando and Austin.

We appreciate your continued leadership on crafting responsible cyber security legislation.

Sincerely,

Jorge Carrasco  
Chair

Austin Energy (TX) • Chelan County PUD (WA) • Clark Public Utilities (WA) • Colorado Springs Utilities (CO) • CPS Energy (TX)  
ElectricCities of North Carolina, Inc. (NC) • Grant County PUD (WA) • IID (CA) • JEA (FL) • Long Island Power Authority (NY)  
Los Angeles Department of Water and Power (CA) • Lower Colorado River Authority (TX) • MEAG Power (GA) • Nebraska Public Power District (NE)  
New York Power Authority (NY) • Omaha Public Power District (NE) • OUC (FL) • Platte River Power Authority (CO)  
Puerto Rico Electric Power Authority (PR) • Sacramento Municipal Utility District (CA) • Salt River Project (AZ) • Santee Cooper (SC)  
Seattle City Light (WA) • Snohomish County PUD (WA) • Tacoma Public Utilities (WA)