



Electric Power Sector Views On S. _____, “The National Cyber Infrastructure Protection Act of 2010”

Protecting the North American electric grid and ensuring a reliable supply of power is the electric power industry’s top priority. Reliability is more than a buzzword for the electric industry - it’s a mandate. In fact, electric companies can be assessed substantial penalties for failure to comply with reliability standards.

This focus on reliability, resiliency and recovery requires the power sector to take an all-hazards approach, recognizing risks from natural phenomena such as hurricanes or geomagnetic disturbances to intentional cyber attacks. The electric power sector works closely with the North American Electric Reliability Corporation (NERC) and federal agencies to enhance the cyber security of the bulk power system. This includes coordination with the Federal Energy Regulatory Commission (FERC), the Department of Homeland Security (DHS), and the Department of Energy (DOE), as well as federal intelligence and law enforcement agencies, and various federal and provincial authorities in Canada.

To complement its cyber security efforts and to address rapidly changing intelligence on evolving threats, the industry welcomes a cooperative relationship with federal authorities to protect against situations that threaten national security or public welfare, and to prioritize the assets that need enhanced security. A well-practiced, public-private partnership utilizes all stakeholders’ expertise, including the government’s ability to gather and share timely and actionable threat information with critical infrastructure asset owners and operators, upon which they can formulate appropriate mitigation strategies to prevent significant adverse consequences to utility operations or assets. The comprehensive draft cyber security legislation under development in the Senate Select Committee on Intelligence attempts to create such a cooperative relationship by:

- Recognizing that the vast majority of grid cyber security threats and vulnerabilities can be anticipated and mitigated through the existing NERC standards development process, and developing an approach that respects and enhances that process.
- Taking steps to improve information sharing between the federal and private sectors as well as international partners.
- Assuring that industry expertise is involved in developing protocols.

The North American electric power sector appreciates many elements of the draft legislation released by Senator Bond, and we look forward to continuing to work with the rest of the Committee and other Committees of jurisdiction as the Senate progresses with legislation that will leverage the strengths of the government and the private sector to improve bulk electric system cyber security.