

Consideration of Comments for the Draft Implementation Plan for Version 1 of the CIP Reliability Standards

The Order 706B Nuclear Plant Implementation Team thanks all commenters who submitted comments on the Draft Implementation Plan for Version 1 of the CIP Reliability Standards. The implementation plan was posted for a 25-day public comment period from July 20, 2009 through August 14, 2009. In order to be responsive to the September 15, 2009 filing deadline and as a reflection of the significant involvement of the nuclear community in the development of this proposal, the NERC Standards Committee approved the team to shorten the comment period and pre-ballot review period, and if necessary, offer changes to the proposal based on the comments received before proceeding to ballot.

The stakeholders were asked to provide feedback on the draft implementation plan through a special Electronic Comment Form. There were 15 sets of comments, including comments from more than 40 different people from over 25 companies representing 7 of the 10 Industry Segments as shown in the table on the following pages.

http://www.nerc.com/filez/standards/Cyber_Security_Order706B_Nuclear_Plant_Implementation_Plan.html

Based on stakeholder comments, the drafting team made the following changes to the implementation plan:

- Modified the timeframes related to refueling outages to be six months following the completion of the first refueling outage that is at least 18 months following the FERC Effective Date
- Added CIP-006-1 to the list of standards possibly associated with a refueling outage.
- Clarified that the “FERC approval” date is the “FERC approved effective date”

If you feel that your comment has been overlooked, please let us know immediately. Our goal is to give every comment serious consideration in this process! If you feel there has been an error or omission, you can contact the Vice President and Director of Standards, Gerry Adamski, at 609-452-8060 or at gerry.adamski@nerc.net. In addition, there is a NERC Reliability Standards Appeals Process.¹

¹ The appeals process is in the Reliability Standards Development Procedures: <http://www.nerc.com/standards/newstandardsprocess.html>.

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The Industry Segments are:

- 1 — Transmission Owners
- 2 — RTOs, ISOs
- 3 — Load-serving Entities
- 4 — Transmission-dependent Utilities
- 5 — Electric Generators
- 6 — Electricity Brokers, Aggregators, and Marketers
- 7 — Large Electricity End Users
- 8 — Small Electricity End Users
- 9 — Federal, State, Provincial Regulatory or other Government Entities
- 10 — Regional Reliability Organizations, Regional Entities

| | | Commenter | Organization | Industry Segment | | | | | | | | | | |
|---|-----------------|---|--------------------------------------|------------------|---|---|---|---|---|---|---|---|----|---|
| | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| 1. | Group | Hugh Francis | Southern Company | X | | X | | X | | | | | | |
| Additional Member Additional Organization Region Segment Selection | | | | | | | | | | | | | | |
| 1. | Andrew Neal | Southern Nuclear | SERC | 5 | | | | | | | | | | |
| 2. | Group | Annette Bannon | PPL Supply Group | | | | | X | X | | | | | |
| Additional Member Additional Organization Region Segment Selection | | | | | | | | | | | | | | |
| 1. | Mark Heimbach | PPL Supply | RFC | 6 | | | | | | | | | | |
| 2. | Bill DeLuca | PPL Susquehanna | RFC | 5 | | | | | | | | | | |
| 3. | Dave Gladey | PPL Susquehanna | RFC | 5 | | | | | | | | | | |
| 3. | Group | Guy Zito | Northeast Power Coordinating Council | | | | | | | | | | | X |
| Additional Member Additional Organization Region Segment Selection | | | | | | | | | | | | | | |
| 1. | Ralph Rufrano | New York Power Authority | NPCC | 5 | | | | | | | | | | |
| 2. | Alan Adamson | New York State Reliability Council, LLC | NPCC | 10 | | | | | | | | | | |
| 3. | Gregory Campoli | New York Independent System Operator | NPCC | 2 | | | | | | | | | | |

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| | Commenter | Organization | Industry Segment | | | | | | | | | | | | | | | | | |
|-----|------------------------|---|---|----|---|---|---|---|---|---|---|----|--|--|--|--|--|--|--|--|
| | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | | | | | | | | |
| 4. | Roger Champagne | Hydro-Quebec TransEnergie | NPCC | 2 | | | | | | | | | | | | | | | | |
| 5. | Kurtis Chong | Independent Electricity System Operator | NPCC | 2 | | | | | | | | | | | | | | | | |
| 6. | Sylvain Clermont | Hydro-Quebec TransEnergie | NPCC | 1 | | | | | | | | | | | | | | | | |
| 7. | Manuel Couto | National Grid | NPCC | 1 | | | | | | | | | | | | | | | | |
| 8. | Chris de Graffenried | Consolidated Edison Co. of New York, Inc. | NPCC | 1 | | | | | | | | | | | | | | | | |
| 9. | Brian D. Evans-Mongeon | Utility Services | NPCC | 8 | | | | | | | | | | | | | | | | |
| 10. | Mike Garton | Dominion Resources Services, Inc. | NPCC | 5 | | | | | | | | | | | | | | | | |
| 11. | Brian L. Gooder | Ontario Power Generation Incorporated | NPCC | 5 | | | | | | | | | | | | | | | | |
| 12. | Kathleen Goodman | ISO - New England | NPCC | 2 | | | | | | | | | | | | | | | | |
| 13. | David Kiguel | Hydro One Networks Inc. | NPCC | 1 | | | | | | | | | | | | | | | | |
| 14. | Michael R. Lombardi | Northeast Utilities | NPCC | 1 | | | | | | | | | | | | | | | | |
| 15. | Randy MacDonald | New Brunswick System Operator | NPCC | 2 | | | | | | | | | | | | | | | | |
| 16. | Greg Mason | Dynegy Generation | NPCC | 5 | | | | | | | | | | | | | | | | |
| 17. | Bruce Metruck | New York Power Authority | NPCC | 6 | | | | | | | | | | | | | | | | |
| 18. | Peter Yost | Consolidated Edison Co. of New York, Inc. | NPCC | 3 | | | | | | | | | | | | | | | | |
| 19. | Robert Pellegrini | The United Illuminating Company | NPCC | 1 | | | | | | | | | | | | | | | | |
| 20. | Michael Schiavone | National Grid | NPCC | 1 | | | | | | | | | | | | | | | | |
| 21. | Gerry Dunbar | Northeast Power Coordinating Council | NPCC | 10 | | | | | | | | | | | | | | | | |
| 22. | Lee Pedowicz | Northeast Power Coordinating Council | NPCC | 10 | | | | | | | | | | | | | | | | |
| 4. | Individual | Alison Mackellar | Exelon Generation Company, LLC - Exelon Nuclear | | | | | | X | | | | | | | | | | | |
| 5. | Individual | Doug Engraf | Black & Veatch - Consulting Engineers | | | | | | | | | | | | | | | | | |
| 6. | Individual | James Starling | SCE&G | | X | | X | | X | X | | | | | | | | | | |
| 7. | Individual | Benjamin Church | NextEra Energy Resources, LLC | | | | | | X | X | | | | | | | | | | |
| 8. | Individual | Silvia Parada-Mitchell | Generator Operator | | X | | | | | X | | | | | | | | | | |

Consideration of Comments on Draft Implementation Plan for Version 1 CIP Standards

| | | Commenter | Organization | Industry Segment | | | | | | | | | | |
|---|------------|--|--|------------------|---|---|---|---|---|---|---|---|----|--|
| | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| 9. | Group | Jalal Babik | Electric Market Policy | X | | X | | X | X | | | | | |
| Additional Member Additional Organization Region Segment Selection | | | | | | | | | | | | | | |
| 1. | | Jalal Babik | RFC | 3 | | | | | | | | | | |
| 2. | | Louis Slade | SERC | 6 | | | | | | | | | | |
| 3. | | Mike Garton | NPCC | 5 | | | | | | | | | | |
| 4. | | Bill Thompson | SERC | 1 | | | | | | | | | | |
| 5. | | Marc Gaudette | SERC | NA | | | | | | | | | | |
| 10. | Individual | Chris Georgeson | Progress Energy Nuclear Generation | | | | | X | | | | | | |
| 11. | Individual | Janardan Amin | Luminant Power- CPNPP | | | | | X | | | | | | |
| 12. | Individual | Marcus Lotto - on behalf of SCE's subject matter experts | Southern California Edison Company | X | | X | | X | X | | | | | |
| 13. | Individual | Greg Rowland | Duke Energy | X | | X | | X | X | | | | | |
| 14. | Individual | William Guldemond | Pacific Gas and Electric/Diablo Canyon Power Plant | | | | | X | | | | | | |
| 15. | Individual | Kirit Shah | Ameren | X | | X | | X | X | | | | | |

1. Does the *structure* of the timeframe for compliance represent a reasonable approach that acknowledges the critical path items that could impact implementation of the CIP requirements?

Summary Consideration: Commenters generally indicated support for the timeframes but were not clear whether the Scope of Systems Determination included the time to request and receive a response to the exemption request. The team believes the Scope of Systems Determination includes the availability of the exemption process but not the invocation of the process.

| Organization | Question 1 Comment |
|---|---|
| Southern Company | <p>Yes, the structure of the timeframe is a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. While the structure is accurate there are a few clarifications that need to be made to the structure. While the definition of the “S” “Scope of Systems Determination?” timeframe includes a statement that the exemption process is included it is not clear if it includes time to file for the exemption. Southern Company would like to ensure the “S” timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the “S” time clock starts. Is the “S” timeframe intended to allow for the exemption process to be complete before the clock starts?</p> |
| <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> | |

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| Organization | Question 1 Comment |
|---|---|
| PPL Supply Group | <p>The structure of the timeframe is reasonable. It reflects the critical path items for the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. The "S" designation is not clear that it includes time to file for an exemption. PPL would like to ensure that the S timeframe allow time for the entity to review the requirements, file for an exemption, and receive a response on the outcome before the S time clock starts.</p> |
| <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC's CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> | |
| Northeast Power Coordinating Council | <p>The structure of the timeframe is a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. While the structure is adequate, there are a few clarifications that need to be made to it. While the definition of the "S" "Scope of Stems Determination?" timeframe includes a statement that the exemption process is included, it is not clear if it includes time to file for the exemption. It should be ensured that the "S" timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the "S" time clock starts. Is the "S" timeframe intended to allow for the exemption process to be complete before the clock starts?</p> |
| <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that</p> | |

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| Organization | Question 1 Comment |
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| | <p>would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| <p>Exelon Generation Company, LLC - Exelon Nuclear</p> | <p>The structure of the timeframe for compliance presents a generally reasonable approach; however, given that the nuclear industry has not yet performed an assessment in accordance with CIP-002 (R.2, R.3) the scope is difficult to determine.</p> |
| <p>Response: The team thanks you for your comments.</p> | |
| <p>Black & Veatch - Consulting Engineers</p> | <p>We are concerned the time frame between the plant determining the SSCs that are subject to FERC jurisdiction with Memo of Understanding between NERC and NRC and the time to acceptance of that memo. In other words, we are concerned that NERC or the NRC might not accept the SSCs as submitted and the plant’s work plan may need significant changes. We would like to see the time to completion tied to acceptance of the SSC list by the NRC and NERC.</p> |
| <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling</p> | |

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| | <p>outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| <p>SCE&G</p> | <p>Yes, the structure of the timeframe is a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. While the structure is accurate there are a few clarifications that need to be made to the structure. While the definition of the “S “ Scope of Systems Determination? timeframe includes a statement that the exemption process is included it is not clear if it includes time to file for the exemption. South Carolina Electric & Gas would like to ensure the “S” timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the “S” time clock starts. Is the “S” timeframe intended to allow for the exemption process to be complete before the clock starts?</p> |
| <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that</p> | |

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| Organization | Question 1 Comment |
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| | contain multiple units as the linkage to refueling outages is unit-specific. |
| NextEra Energy Resources, LLC | <p>Yes, in general the basic structure provides a foundation to establish the correct schedule to implement the reliability standards. One area of concern is in the detail of "S - Scope of Systems Determination" date. There is uncertainty as to whether the MOU between NERC and the NRC will include a matrix or other methodology that will clearly define standard plant systems assigned to NERC or the NRC (i.e., identify the "bright line"). Determination of the "bright line" can also be accomplished by including a period for nuclear plants to evaluate the exemption process, file for exemptions, and receive rulings on filed exemptions. This approach should allow adequate time completion of the exception process before declaring the "S" date.</p> |
| | <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC's CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| Generator Operator | <p>Yes, in general the basic structure provides a foundation to establish the correct schedule to implement the reliability standards. One area of concern is in the detail of "S - Scope of Systems Determination" date. There is uncertainty as to whether the MOU between NERC and the NRC will include a matrix or other methodology that will clearly define standard plant systems assigned to NERC or the NRC (i.e., identify the "bright line"). Determination of the "bright line" can also be accomplished by including a period for nuclear plants to evaluate the exemption process, file for exemptions, and receive rulings on filed exemptions. This approach should allow adequate time completion of the exception process before declaring the "S" date.</p> |

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| | <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| Electric Market Policy | <p>The structure of the timeframe is a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. While the structure is adequate, there are a few clarifications that need to be made to the structure. While the definition of the “S “ Scope of Stems Determination? timeframe includes a statement that the exemption process is included, it is not clear if it includes time to file for the exemption. Dominion would like to ensure the “S” timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the “S” time clock starts. Is the “S” timeframe intended to allow for the exemption process to be complete before the clock starts?</p> |
| | <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling</p> |

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| Organization | Question 1 Comment |
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| | <p>outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| <p>Progress Energy Nuclear Generation</p> | <p>It can be improved by clarifying that the "S - Scope of Systems Determination" timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response regarding the outcome of the exemption before the "S" time clock starts. This allows time for implementation of requirements for items where an exemption request could be denied.</p> |
| | <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC's CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| <p>Luminant Power-CPNPP</p> | <p>Yes, the structure represents a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the</p> |

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| | <p>requirements. While the structure is accurate there are a few clarifications that need to be made to the associated timeframes. While the definition of the “S “ Scope of Systems Determination timeframe includes a statement that the exemption process is included it is not clear if it includes time to file for the exemption. Luminant Power would like to ensure the “S” timeframe allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the “S” time clock starts. Is the “S” timeframe intended to allow for the exemption process to be complete before the clock starts?</p> |
| | <p>Response: The reference to the scope of system determination, identified by “S” in the “Timeframe to Compliance” column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC’s CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> |
| Southern California Edison Company | <p>Yes, the structure of the timeframe is a reasonable approach for the implementation of the CIP requirements at the nuclear plants. The implementation plan accurately reflects the critical path items for the development of the MOU between NERC and the NRC and it also recognizes that a refueling outage is required to implement a portion of the requirements. While the structure is accurate there are a few clarifications that need to be made to the structure. While the definition of the “S “ Scope of Systems Determination? timeframe includes a statement that the exemption process is included it is not clear if it includes time to file for the exemption. Southern California Edison would like to ensure the “S” time frame allows time for the entity to review the requirements, file for an exemption, and receive a response on the outcome of the exemption before the “S” time clock starts. Is the “S” timeframe intended to allow for the exemption process to be complete before the clock starts? One other item that should be taken into consideration is that the proposed timeline identified in the implementation plan is contingent, in part, on the development of the Memorandum of Understanding (MOU) between NERC and NRC. Because the MOU is intended to address both the</p> |

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| | <p>"exception process" and audit responsibilities, SCE is concerned with the lack of transparency in MOU development. SCE believes stakeholders would have valuable input into the MOU development, input that would ultimately benefit the industry. Therefore, SCE strongly recommends the MOU development include direct stakeholder participation, or at minimum, solicitation of stakeholder comment prior to adoption.</p> |
| | <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC's CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> <p>The NERC-NRC Memorandum of Understanding is outside the scope of the implementation plan activity that is the subject of this comment period. We will forward your comments to those at NERC working to develop the MOU.</p> |
| <p>Duke Energy</p> | <p>Overall, the structure represents a reasonable approach. However, as described in the implementation plan, the "S" (Scope of Systems Determination) seems to include only completion of the NERC/NRC MOU and establishment of the exemption process. 10 months following "S" is barely adequate time for an entity to review the Scope of Systems Determination, identify exemptions and seek NERC approval of the exemptions. NERC will then need time to process exemption requests. NERC's denial of an exemption should be the event which starts the clock on the "S+10" month timeframe for compliance. That point of denial by NERC would place the item "in scope" and the clock for implementation of CIP standards for that item would start. "S+10" would mean that 10 months after denial of the exemption by NERC you would have to be in compliance. Also, defining "RO" as the first refueling outage 12 months after the FERC effective date does not allow adequate time to design, develop, budget, plan and implement modifications requiring a refueling outage, since some utilities are on a 24-month refueling cycle. "RO" should be defined as the first refueling outage greater than 24 months after the FERC effective date. However, in cases where</p> |

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| | <p>exemptions are sought for items that require a refueling outage and are subsequently denied by NERC, "RO" should be the first refueling outage greater than 24 months after the denial of the exemption by NERC.</p> |
| | <p>Response: The reference to the scope of system determination, identified by "S" in the "Timeframe to Compliance" column, includes the time necessary to complete (1) the NERC-NRC Memorandum of Understanding; and, (2) the development of the exemption process that would permit entities to request exclusion of certain systems, structures, and components from the scope of NERC's CIP standards. The Memorandum of Understanding, to be completed in the next few months, is expected to contain a clear delineation of the systems, structures, and components under NRC and NERC jurisdiction. The actual invocation of the exemption process is not included in this timeframe. However, NERC understands the need to process exemption requests efficiently to ensure entities are clear on expectations and to maximize the time to become compliant.</p> <p>The amended implementation plan includes three timeframes. The first pertains to requirements not tied to the need for a refueling outage. In these cases, the implementation timeframe is the FERC effective date plus 18 months. For those requirements that are outage-dependent, the timeframe to compliance is six months following the first refueling outage at least 18 months from the FERC Effective Date. And the final component is the scope of systems determination for which the timeframe to compliance is ten months following the completion of the Memorandum of Understanding and the establishment of the exemption process. The controlling timeframe for implementation is the later of the three. As the completion of the Memorandum of Understanding and the availability of the exemption process is expected in the next few months, the controlling timeframe is expected to be the FERC Effective Date plus 18 months. Given that each nuclear power plant is required to file a comprehensive cyber security plan with the NRC in November, 2009, the team believes sufficient time exists for an entity to invoke and receive disposition of the request for exemption before the NERC CIP standards take effect. To be clear, the implementation timeframes for CIP requirements are intended to be applied on a per unit basis for those plants that contain multiple units as the linkage to refueling outages is unit-specific.</p> <p>The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| Pacific Gas and Electric/Diablo Canyon Power Plant | Yes |
| Ameren | YES. |

2. Does the proposed implementation plan generally provide a reasonable timeframe for implementing NERC’s CIP Version 1 standards at nuclear power plants?

Summary Consideration: Commenters expressed concern that the timeframes associated with a refueling outage may not be sufficient to fully design and implement changes in support of the CIP standards. The team agreed and modified the timeframes related to refueling outages to be six months following the completion of the first refueling outage that is at least 18 months following the FERC Effective Date.

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| Southern Company | <p>With the exception of the above comment, concerning the “S” timeframe, the items that do not require a refueling outage to implement the timeframes are reasonable for implementing the CIP requirements. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements each unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after FERC effective date. Once each unit is identified as a critical asset, the critical cyber assets will need to be identified. Once the critical cyber assets are identified a design change will need to be developed, planned and budgeted to be included into the next refueling outage. With the current implementation schedule each unit would be required to be compliant the latter of R+18, S+10, or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to effectively plan and budget for the changes, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant then the total time required would be 24 months. In this scenario the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget, and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC Effective Date?</p> |
| <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the</p> | |

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| | <p>refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| <p>PPL Supply Group</p> | <p>PPL does not feel the timeframe allowed for outage activities will provide enough time for identifying solutions, planning, and implementing the requirements. The order of compliance within 12 months is too short considering once each unit is identified as a critical asset, the critical asset changes budgeted and designed, and then planning and implementing the changes via the work management system. The current implementation schedule is determined as the latter of R+18, S+10, or RO+6. This becomes apparent when an outage would begin 13-14 months after FERC approval. This would require a plant to be compliant in 19-20 months. When we add up all of the design, plan, implement timeframes utilizing our process this would take 24 months...in this case we would have to be compliant in 7-10 months. Therefore the definition of RO needs to change to next refueling outage beyond 18 months of the FERC effective date.</p> |
| | <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| <p>Northeast Power Coordinating Council</p> | <p>With the exception of the above comment concerning the “S” timeframe, the timeframes are reasonable for implementing CIP requirements for the items that do not require a refueling outage to implement. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements, each unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after the FERC effective date. Once each unit is identified as a critical asset, the critical cyber assets will need to be identified. Once the critical cyber assets are identified, a design change will need to be developed, planned and budgeted to be included in the next refueling outage. With the current implementation schedule, each unit would be required to be compliant the latter of R+18, S+10 or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to effectively plan and budget, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is</p> |

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| Organization | Question 2 Comment |
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| | <p>complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant, then the total time required would be 24 months. In this scenario, the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC effective date.?</p> |
| <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> | |
| <p>Exelon Generation Company, LLC - Exelon Nuclear</p> | <p>The proposed implementation plan generally provides a reasonable timeframe for implementing NERC’s CIP Version 1 except as noted in the response to other questions, below. In addition, it is our understanding that “Auditably Compliant” will be required one year following the compliance milestone defined in the implementation plan. “Auditably Compliant” means the entity meets the full intent of the requirement and can demonstrate compliance to an auditor, including 12-calendar-months of auditable “data,” “documents,” “documentation,” “logs,” and “records.”</p> |
| <p>Response: The team agrees with your description of “Auditably Compliant”</p> | |
| <p>Black & Veatch - Consulting Engineers</p> | <p>The time frame is acceptable as long as long as it is tied to the agreement on which SSCs require NERC CIP compliance.</p> |
| <p>Response: Agreed.</p> | |
| <p>SCE&G</p> | <p>With the exception of the previous comment, concerning the “S” timeframe, the items that do not require a refueling outage to implement the timeframes are reasonable for implementing the CIP requirements. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements the unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after FERC effective date. Once the unit is identified as a critical asset, the critical cyber assets will need to be identified. Once</p> |

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| Organization | Question 2 Comment |
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| | <p>the critical cyber assets are identified a design change will need to be developed, planned and budgeted to be included into the next refueling outage. With the current implementation schedule each unit would be required to be compliant the latter of R+18, S+10, or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to effectively plan and budget for the changes, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant then the total time required would be 24 months. In this scenario the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget, and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC Effective Date?</p> |
| | <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| <p>NextEra Energy Resources, LLC</p> | <p>The prerequisite approvals or activities do not allow for adequate time to implement a compliant program as follows: 1) Nuclear plants will need 12 months to identify assets and any mitigation items that will be required for compliance to CIP-002. Also, there may be plant design changes required in support of the program requirements. Industry standard "fast track" design changes take 9 months to complete which includes completing the detailed design and establishing complete configuration documentation. Implementation of the engineering design takes an additional 3 months to prepare instructions and complete the work which must be coordinated within the plant work management process. This requires R+24 to perform implementation. 2) Comments from question 1 above identifies the adjustment to "S". 3) Design changes that require a refueling outage impact generation or the safe operation of the plant. Refueling Outages are budgeted, engineered, and planned with longer lead times due to the complexity of work activities. The proposed implementation plan will require some facilities to execute design change packages without adequate time to meet the refueling planning window of 24 months. Adding the 24 months for the refueling design and planning window implementation to the previously stated 12 months for the completion of CIP-002 requires a refueling outage 36 months from the effective date. Some plants have longer fuel cycles so it is</p> |

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| Organization | Question 2 Comment |
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| | recommended the RO effective date is "First refueling outage beyond R +18 month+ one fuel cycle". |
| | <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| Generator Operator | <p>The prerequisite approvals or activities do not allow for adequate time to implement a compliant program as follows: 1) Nuclear plants will need 12 months to identify assets and any mitigation items that will be required for compliance to CIP-002. Also, there may be plant design changes required in support of the program requirements. Industry standard "fast track" design changes take 9 months to complete which includes completing the detailed design and establishing complete configuration documentation. Implementation of the engineering design takes an additional 3 months to prepare instructions and complete the work which must be coordinated within the plant work management process. This requires R+24 to perform implementation. 2) Comments from question 1 above identifies the adjustment to "S". 3) Design changes that require a refueling outage impact generation or the safe operation of the plant. Refueling Outages are budgeted, engineered, and planned with longer lead times due to the complexity of work activities. The proposed implementation plan will require some facilities to execute design change packages without adequate time to meet the refueling planning window of 24 months. Adding the 24 months for the refueling design and planning window implementation to the previously stated 12 months for the completion of CIP-002 requires a refueling outage 36 months from the effective date. Some plants have longer fuel cycles so it is recommended the RO effective date is "First refueling outage beyond R +18 month+ one fuel cycle".</p> |
| | <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |

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| Organization | Question 2 Comment |
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| Electric Market Policy | <p>With the exception of the above comment, concerning the “S” timeframe, the timeframes are reasonable for implementing CIP requirements for the items that do not require a refueling outage to implement. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements, each unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after the FERC effective date. Once each unit is identified as a critical asset, the critical cyber assets will need to be identified. Once the critical cyber assets are identified, a design change will need to be developed, planned and budgeted to be included in the next refueling outage. With the current implementation schedule, each unit would be required to be compliant the latter of R+18, S+10 or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to effectively plan and budget, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant, then the total time required would be 24 months. In this scenario, the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC effective date.?</p> |
| <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> | |
| Luminant Power-CPNPP | <p>With the exception of the above comment, concerning the “S” timeframe, the items that do not require a refueling outage to implement, the timeframes are reasonable for implementing the CIP requirements. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements each unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after FERC</p> |

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| Organization | Question 2 Comment |
|---|---|
| | <p>effective date. Once each unit is identified as a critical asset, the critical cyber assets will need to be identified. Once the critical cyber assets are identified, a design change will need to be developed, planned and budgeted to be included into the next refueling outage. With the current implementation schedule each unit would be required to be compliant the latter of R+18, S+10, or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to effectively plan and budget for the changes, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant then the total time required would be 24 months. In this scenario the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget, and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC Effective Date?</p> |
| | <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> |
| <p>Southern California Edison Company</p> | <p>With the exception of the above comment, concerning the “S” timeframe, the items that do not require a refueling outage to implement the timeframes are reasonable for implementing the CIP requirements. However, we do not feel the timeframe allowed for outage activities will provide enough time for identification, planning and implementing the requirements. The current plan provides a timeframe for outage activities of the first refueling outage 12 months after FERC approval. In order to comply with the requirements each unit will first need to be evaluated against the CIP-002 requirements and be identified as a critical asset. Compliance with this activity is required 12 months after FERC effective date. Once each unit is identified as a critical asset, the critical cyber assets will need to be identified. Once the critical cyber assets are identified a design change will need to be developed, planned and budgeted to be included into the next refueling outage. With the current implementation schedule each unit would be required to be compliant the latter of R+18, S+10, or RO+6. The worst case scenario is if an outage is scheduled to begin 13-14 months after FERC approval. The current timeframe would require the unit to have a plan, including design change, approval of the budget, implemented and documentation updated in 19-20 months to be compliant. In order to</p> |

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| Organization | Question 2 Comment |
|---|---|
| | effectively plan and budget for the changes, we would first need to develop a design change. A design change of this type would take a minimum of 6 months. Once the development of the design change is complete we could accurately plan and budget for the change. This will take an additional 6 months. If the identification requires 12 months to be compliant then the total time required would be 24 months. In this scenario the plant is allowed approximately 7-10 months, after identifying it as a critical asset, to develop a design change, plan, implement and update the documentation. In order to allow for adequate time to identify, plan, budget, and implement the required design changes, the definition of RO should be: RO=Next refueling outage beyond 18 months of FERC Effective Date? |
| <p>Response: The team agrees that the part of the implementation plan linked to refueling outages is confusing relative to other aspects of the implementation plan, particularly in the timeframe 12-18 months following the FERC Effective Date. Therefore, for simplicity and to recognize that the controlling timeframe will be at least 18 months following the FERC Effective Date, the team has modified the implementation timeframes for those requirements linked to refueling outages to be six months following the first refueling outage that is at least 18 months from the FERC Effective Date. The team believes this approach simplifies the plan by targeting implementation for those requirements not tied to an outage at 18 months following the FERC Effective Date, or for those requirements that are outage-related, at six months following the first refueling outage that is at least 18 months following the FERC Effective Date. The six months identified for the refueling outage permits the entity to complete the necessary documentation for the modification or activities that were undertaken during the outage.</p> | |
| Duke Energy | Timeframes are suitable, except for our concern as noted in response to Question #1 above. |
| <p>Response: Thank you for your comment</p> | |
| Pacific Gas and Electric/Diablo Canyon Power Plant | Yes |
| Ameren | YES. |

3. Are there any requirements in CIP-002-1 for which the time frame is not suitable for implementation, either not enough time or too much time, to ensure there is no reliability gap in coverage for the balance of plant items at the nuclear power plants in the United States?

Summary Consideration: Commenters indicated that except as identified in earlier questions, the timeframes are suitable.

| Organization | Question 3 Comment |
|---|--|
| Southern Company | With the exception of the comment to question 1 the time frames are suitable. |
| PPL Supply Group | With the exception of the comment to question 1, the time frames are acceptable. |
| Response: Thank you for your comment | |
| Northeast Power Coordinating Council | With the exception of the comment to Question 1, the timeframes are suitable. |
| Response: Thank you for your comment | |
| Exelon Generation Company, LLC - Exelon Nuclear | The proposed time frame is suitable for implementation; however, the execution of the identification of a critical asset and identification of critical cyber assets will present a challenge especially during the later milestones that include final review and signoff from senior executives. |
| Response: Thank you for your comment | |
| Black & Veatch - Consulting Engineers | should not be a problem |
| Response: Thank you for your comment | |
| SCE&G | With the exception of the comment to question 1 the time frames are suitable. |
| Response: Thank you for your comment | |
| NextEra Energy | See comments from question 1 and 2 above for time frame comments. Implementation of the CIP standards on some Balance |

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| Organization | Question 3 Comment |
|--|--|
| Resources, LLC | of Plant systems is focused on regulatory compliance and the alignment of processes. Due to compliance with NEI 04-04, the industry has implemented cyber security barriers that protect generation and there is no cyber security or reliability gap. |
| Response: Thank you for your comment | |
| Generator Operator | See comments from question 1 and 2 above for time frame comments. Implementation of the CIP standards on some Balance of Plant systems is focused on regulatory compliance and the alignment of processes. Due to compliance with NEI 04-04, the industry has implemented cyber security barriers that protect generation and there is no cyber security or reliability gap. |
| Response: Thank you for your comment | |
| Electric Market Policy | With the exception of the comment to Question 1, the time frames are suitable. |
| Response: Thank you for your comment | |
| Progress Energy Nuclear Generation | |
| Luminant Power- CPNPP | With the exception of the comment to question 1 the time frames are suitable. |
| Southern California Edison Company | With the exception of the comment to question 1, the time frames are suitable. |
| Response: Thank you for your comment | |
| Duke Energy | Timeframes are suitable, except for our concern as noted in response to Question #1 above. |
| Response: Thank you for your comment | |
| Pacific Gas and Electric/Diablo Canyon Power Plant | No |
| Ameren | NO. |

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4. Are there any requirements in CIP-003-1, CIP-004-1, CIP-006-1, and CIP-009-1 for which the time frame is not suitable for implementation, either not enough time or too much time, to ensure there is no reliability gap in coverage for the balance of plant items at the nuclear power plants in the United States? Implementation of these standards is not believed to be predicated on an outage.

Summary Consideration: Several commenters indicated concern over CIP-006-1 not being available for implementation except during a refueling outage timeframe. The team agreed and included CIP-006-1 on the list of standards possibly associated with a refueling outage. Other commenters indicated that all standards should have their implementation plan linked to refueling outages. The team does not believe this is appropriate and that non-outage related approaches are available to meet the intent of the remaining requirements.

| Organization | Question 4 Comment |
|---|--|
| Southern Company | <p>With the exception of the comment to question 1 the time frames are suitable. While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent and perhaps automated solutions during the next refueling outage opportunity.</p> | |
| PPL Supply Group | <p>With the exception of the comment to question 1, the time frames are acceptable.</p> |
| <p>Response: Thank you for your comment.</p> | |
| Northeast Power Coordinating Council | <p>With the exception of the comment to Question 1, the timeframes are suitable. While these requirements do not require an outage to implement, they are dependent on the strategy implemented under CIP-005. For instance, R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design change to install the access controls per CIP-005, then this requirement cannot be met until the design change is implemented. This is also true for R5 and R6. The Outage dependent column for these requirements (R4, R5 and R6) should be labeled as Possible and the RO+6 timeframe</p> |

Consideration of Comments on Draft Implementation Plan for Version 1 CIP Standards

| Organization | Question 4 Comment |
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| | <p>should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self-certification process.</p> |
| | <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent and perhaps automated solutions during the next refueling outage opportunity.</p> |
| <p>Exelon Generation Company, LLC - Exelon Nuclear</p> | <p>For CIP-003-1, CIP-006-1, and CIP-009-1, No. For CIP-004-1, the proposed time frame is reasonable; however, depending on the identified personnel within scope, completion of the training program (R.2) may be a challenge to have completed by the later of the R+18 or S+10 timeframes.</p> |
| | <p>Response: The team does not agree with the suggestion to modify the implementation timeframes for training program requirements in CIP-004-1. The entity's training program can include provisions to exclude personnel who have not completed the training program with the understanding that the person would not have access or be included on access lists for CCAs prior to the training being completed.</p> |
| <p>Black & Veatch - Consulting Engineers</p> | <p>With regard to CIP-009-1, deployment of some types of backup and restore systems (including development of complete system backups of CCA's), might be best performed during an outage to prevent impact traffic to ESP network.</p> |
| | <p>Response: The team appreciates the comment but believes CIP-009-1 is appropriately classified. As the language in the requirement states, Requirement R4 requires the development of the process and procedures for backup and restore; it does not require a technical control that would require an outage to implement. Further, the team believes the implementation of those processes and procedures could be performed manually and would also not require an outage</p> |
| <p>SCE&G</p> | <p>CIP-003-1: With the exception of the comment to question 1 the time frames are suitable. CIP-004-1: With the exception of the comment to question 1 the time frames are suitable. CIP-006-1: While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement cannot be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process. CIP-009-1: While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement cannot be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6)</p> |

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| Organization | Question 4 Comment |
|--------------------------------------|---|
| | <p>should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process.</p> |
| | <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> |
| <p>NextEra Energy Resources, LLC</p> | <p>See comments from question 1 and 2 above for time frame comments. Until detailed assessments are completed, it is generally unknown if there are items that can not be installed without a design change during a refueling outage to fully meet all requirements in CIP R03,R04, R06, and R09. The plant should be able to assess the need for a refueling outage to completely satisfy the requirements and provide final reporting during the self certification process. See comments from question 3 above for comments on no reliability gap.</p> |
| | <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> |
| <p>Generator Operator</p> | <p>See comments from question 1 and 2 above for time frame comments. Until detailed assessments are completed, it is generally unknown if there are items that can not be installed without a design change during a refueling outage to fully meet all requirements in CIP R03,R04, R06, and R09. The plant should be able to assess the need for a refueling outage to completely satisfy the requirements and provide final reporting during the self certification process. See comments from question 3 above for comments on no reliability gap.</p> |
| | <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> |
| <p>Electric Market Policy</p> | <p>With the exception of the comment to Question 1, the time frames are suitable. While these requirements do not require an outage to implement, they are dependent on the strategy implemented under CIP-005. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design change to install the access controls per</p> |

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| Organization | Question 4 Comment |
|---|--|
| | <p>CIP-005, then this requirement cannot be met until the design change is implemented. This is also true for R5 and R6. The Outage dependent column for these requirements (R4, R5 and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self-certification process.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> | |
| <p>Progress Energy Nuclear Generation</p> | |
| <p>Luminant Power- CPNPP</p> | <p>For CIP-003-1, CIP-004-1: With the exception of the comment to question 1 the time frames are suitable. For CIP-006-1: While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process. For CIP-009-1: While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> | |
| <p>Southern California Edison Company</p> | <p>With the exception of the comment to question 1 the time frames are suitable. While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-</p> |

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| Organization | Question 4 Comment |
|---|--|
| | <p>005, then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement. However, the team does not agree that CIP-003-1, CIP-004-1, and CIP-009-1 should be linked to a refueling outage. The team believes that there are interim solutions that could be implemented manually if necessary to meet the intent of the requirements. The entity could then determine the appropriateness of installing more permanent, and perhaps automated solutions during the next refueling outage opportunity</p> | |
| Duke Energy | <p>The implementation plan for CIP-006-1 requirements doesn't include any "RO+6" timeframes. Depending upon how the physical security plan is implemented, some elements of it might require a refueling outage. Otherwise, timeframes are suitable, except for our concern as noted in response to Question #1 above.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement.</p> | |
| Pacific Gas and Electric/Diablo Canyon Power Plant | No |
| Ameren | <p>Yes. CIP-006-1 R1, R2, R3 currently do not allow enough time. These requirements need to be changed to outage dependent. Depending on the physical access control changes or a "six-wall" border change the plant may need to be on outage to make these changes.</p> |
| <p>Response: The team has re-evaluated CIP-006-1 and modified the implementation plan to include CIP-006-1 in the list of standards that could potentially require an outage to implement. The implementation of physical controls, particularly outside the protected area, could require an outage to fully implement.</p> | |

5. Are there any requirements in CIP-005-1, CIP-007-1, and CIP-008-1 for which the time frame is not suitable for implementation, either not enough time or too much time, to ensure there is no reliability gap in coverage for the balance of plant items at the nuclear power plants in the United States? Implementation of certain aspects of these standards is believed to be predicated on an outage.

Summary Consideration: No concern expressed with respect to these standards except for the time concerns addressed earlier regarding refueling outages.

| Organization | Question 5 Comment |
|--|--|
| Southern Company | With the exception of the items that require an outage to perform, the time frames are acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See answer to question 2 above for details. While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005 then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process. |
| Response: See responses to earlier questions. | |
| PPL Supply Group | With the exception of the items that require an outage to implement, the timeframes are acceptable. For the items that require an outage to perform, the timeframes are not acceptable, see answer to question 2 above. Consideration needs to be given in these CIPs for the possibility of having to fully implement them in an outage and depends upon the strategy implemented under CIP-005-1. |
| Response: See responses to earlier questions | |
| Northeast Power Coordinating Council | With the exception of the items that require an outage to perform, the time frames are not acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See response to Question 2 above for details. While these requirements do not require an outage to implement, they are dependent on the strategy implemented under CIP-005. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design change to install the access controls per CIP-005, then this requirement cannot be met until the design change is implemented. This is also true for R5 and R6. The Outage dependent column for these requirements (R4, R5 and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self-certification process. |

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| Organization | Question 5 Comment |
|---|--|
| Response: See responses to earlier questions | |
| Exelon Generation Company, LLC - Exelon Nuclear | No. The time frames for the requirements in CIP-005-1, CIP-007-1, and CIP-008-1 are suitable for implementation. |
| Response: See responses to earlier questions | |
| Black & Veatch - Consulting Engineers | Refer to response to Question #1 - If the timeframe is not tied to the NRC and NERC acceptance of the SSC list, the schedule for deployment of the required network security systems, including potential upgrades to existing systems, may be of concern. |
| Response: See responses to earlier questions | |
| SCE&G | CIP-005-1: The time frames allowed for implementing these requirements are not suitable. See answer to question 2 above for details. CIP-007-1: With the exception of the items that require an outage to perform, the time frames are acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See answer to question 2 above for details. CIP-008-1: With the exception of the items that require an outage to perform, the time frames are acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See answer to question 2 above for details. |
| Response: See responses to earlier questions | |
| NextEra Energy Resources, LLC | See comments from question 1 and 2 above for time frame comments. See comments from question 3 above for comments on no reliability gap. |
| Generator Operator | See comments from question 1 and 2 above for time frame comments. See comments from question 3 above for comments on no reliability gap. |
| Response: See responses to earlier questions | |
| Electric Market Policy | With the exception of the items that require an outage to perform, the time frames are not acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See response to Question 2 above for details. While these requirements do not require an outage to implement, they are dependent on the strategy implemented under CIP-005. For instance R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design change to install the access controls per CIP-005, then this requirement cannot be met until the design change is |

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| Organization | Question 5 Comment |
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| | implemented. This is also true for R5 and R6. The Outage dependent column for these requirements (R4, R5 and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self-certification process. |
| Response: See responses to earlier questions | |
| Progress Energy Nuclear Generation | |
| Luminant Power-CPNPP | For CIP-005-1: The time frames allowed for implementing these requirements are not suitable. See answer to question 2 above for details. For CIP-007-1 & CIP-008-1: With the exception of the items that require an outage to perform, the time frames are acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See answer to question 2 above for details. |
| Response: See responses to earlier questions | |
| Southern California Edison Company | With the exception of the items that require an outage to perform, the time frames are acceptable. For the items that require an outage to perform, the time frames allowed are not suitable. See answer to question 2 above for details. While these requirements do not require an outage to implement they are dependent on the strategy implemented under CIP-005-1. For instance, R4 requires the entity to log access 24 hours a day, 7 days a week. If the plant identifies the need for a design to install the access controls per CIP-005, then this requirement can not be met until that design is implemented. This is also true for R5 and R6. The Outage Dependent column for these requirements (R4, R5, and R6) should be labeled as Possible and the RO+6 timeframe should be included. The entity should be able to assess the need for an outage to satisfy these requirements and report that during the self certification process. |
| Response: See responses to earlier questions | |
| Duke Energy | In addition to our concern noted in response to Question #1 above, we have a concern with Requirement R3 of CIP-007-1 which requires installing applicable cyber security software patches for all Cyber Assets within the Electronic Security Perimeter(s). There are many cyber security system devices such as relays and programmable logic controllers which cannot accept software patches. NERC's technical feasibility exception process doesn't currently allow an exemption for Requirement R3. If such devices will be required to meet R3, then the timeframe for compliance would be significantly longer than "RO+6". In some cases, CIP-compliant replacement equipment may not even be available for nuclear-grade applications, and we could NEVER achieve compliance. Similarly, Requirement R5.3.2 requires that passwords shall consist of a combination of alpha, numeric, and "special" characters. Commonly used tools, including Active Directory can enforce password parameters such the following: The password contains characters from at least three of the following five |

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| Organization | Question 5 Comment |
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| | <p>categories: (i) English uppercase characters (A - Z); (ii) English lowercase characters (a - z); (iii) Base 10 digits (0 - 9); (iv) Non-alphanumeric (For example: !, \$, #, or %); (v) Unicode characters. We are not aware of password products typically available which can guarantee compliance with the requirement that all three of the parameters (alpha, numeric, and "special" characters) listed in the standard be included in passwords. Unless technical feasibility exceptions are allowed for such legacy Account Management systems, the timeframe for compliance could be significantly longer than "R+18", "S+10" or "RO+6".</p> |
| <p>Response: The existing R3.2 language permits a technical feasibility exception already. This requirement states: <i>The Responsible Entity shall document the implementation of security patches. In any case where the patch is not installed, the Responsible Entity shall document compensating measure(s) applied to mitigate risk exposure or an acceptance of risk. and permits the entity</i> Therefore, the team believes the commenter's concern, while valid, is already addressed through R3.2 provisions. Requirement R5.3.2 already is included on the list of requirements for which a technical feasibility exception can be requested.</p> | |
| Pacific Gas and Electric/Diablo Canyon Power Plant | No |
| Ameren | No. |