

Industry Comments for CAN-0016 CIP-001 R1 Sabotage Reporting Procedure			*One or more of these responses came from a trade organization or an ISO/RTO that represents multiple entities.	
Comment Topics	Main Points	Total # of Responses on this Topic	Industry Suggestions	Response
CAN doesn't answer the question	There are many other issues addressed but not "what facilities should be included in a registered entity's sabotage reporting procedure?"	19*	State which facilities are to be included; permit registered entities to use the NERC Glossary definition of "Facilities" as a specific application of the undefined word "facilities" as used in CIP-001-1.	The CAN was revised to make the answer to the question clearer. A CEA is to assess a possible non-compliance when a registered entity's sabotage reporting procedure specifically excludes facilities that have the potential to impact the reliability of the BPS. Registered entities are encouraged to identify their facilities that may, if subject to sabotage, impact the BPS.
Add language to Examples #1 and #2	Add: "...on its facilities and multi-site sabotage affecting larger portions of the Interconnection;" to the end of #1 and #2.	1	The language makes the examples "correct."	The standard specifies "...on its facilities and multi-site sabotage affecting larger portions of the Interconnection" and thus is incorporated into the examples, so no further language was deemed necessary.
CAN out of scope	The new draft CAN-0016 should only address the fact that CIP-001 does not apply to non-BES facilities. No other aspects of CIP-001 should be addressed in this CAN.	70*	The CAN should not require that all personnel working for a registered entity are qualified to analyze an event and determine if the intent is sabotage or just vandalism or theft.	The CAN was revised to state that CEA staff are to verify all personnel aware of the sabotage reporting procedures. The CAN shifted to focus on the purpose of the standard - i.e. that registered entities are to have a sabotage reporting procedure. The CAN clarifies that a registered entity must have a procedure for recognizing potential sabotage events on its facilities and multi-site sabotage affecting larger portions of the Interconnection and that a CEA is to find a possible non-compliance if a registered entity specifically excludes any those facilities that, if subject to a potential sabotage event, could impact the reliability of the BPS. This CAN further clarifies that a CEA must verify that a registered entity has implemented its sabotage reporting procedure. While the term "operating personnel" is not defined, the comments received suggest that this designates a subset of employees and only those employees are subject to the standard. The standard does not delineate a subset of employees, but applies to the functional entity.
BPS vs BES	References to BPS should be changed to BES.	35		According to Section 39 of the Energy Policy Act of 2005, NERC defines the Interconnected Power Grid as the Bulk Power System. Unless otherwise restricted by a standard, it is applicable to the BPS. This standard does not provide such a restriction. There is currently a Standards Drafting Team defining "BES," and there may be more guidance to follow.
Footnote 1	Footnote #1 should only be in effect for CIP-001 Version 1a, which is the most current version	1	Rewrite footnote	This Footnote has changed based on comments.
Footnote 5	Footnote 5 in the new draft CAN-0016 adds the requirement of obtaining the opinion of expert personnel. This is not in the standard language and should be removed from the CAN.	13	Don't make requirements not in the Standard	This Footnote has changed based on comments.
Footnote 7	Footnote 7 capitalizes sabotage reporting procedure. Need to be consistent throughout the CAN. Since sabotage reporting procedure is not a NERC defined term, it should not be capitalized.	1	Uncapitalize "Sabotage Reporting Procedure"	Sabotage reporting procedure is no longer capitalized.
Define "operating personnel" and "sabotage event"	CIP-001 R1 (as well as R3 and indirectly R2) apply to "operating personnel" whereas the draft revised CAN-0016 appears to expand the applicability of CIP-001 R1 to all "personnel" and/or "employees" of the registered entity.	24*	Language needs to be clarified	"Operating personnel" and "sabotage event" are not defined glossary terms. Based on comments, these definitions will be submitted to the Standards Issue Database. While the term "operating personnel" is not defined in the NERC Glossary, the comments received suggest that this designates a subset of employees and only those employees are subject to the standard. The standard does not delineate a subset of employees, but applies to the functional entity.
Remove Language	(1) The "implementation" language should be removed from the CAN. (2) The section for the CEA to provide guidance to identify noncompliance, "b. responded to this compliance guidance only in preparation for an audit." This should be removed or clarified as to how this is determined by the CEA.	10*		(1) The CAN clarifies that a CEA is to verify that a registered entity has implemented its sabotage reporting procedure. The standard states, "shall have procedures" and there is a reasonable presumption that having a procedure requires more than a document, it requires implementation of the procedure. (2) In the effort to provide instruction to the CEA, the ERO endeavored to give registered entities an opportunity to make adjustments to their sabotage reporting procedure. The CEA will make its determination based on specific facts and circumstances, including the amount of time between the issuance of the CAN and when the registered entity modified its sabotage reporting procedure, and the length of time between the entity's modification and notification of its audit. It would be reasonably expected that an entity would review and update its sabotage reporting procedure at least annually and when prompted by guidance from a Compliance Enforcement Authority.
Need more time to respond	21 days not long enough	3		The CAN process allows 21 days for industry comments; however, NERC will accept extensions upon request.
Implementation of CAN	Under the Effective Period for CAN section, no timeframe is provided to implement the CAN. As currently written, a registered entity's sabotage reporting procedure must contain the elements outlined in this CAN upon posting. A registered entity needs adequate time following a posting to revise procedures to incorporate the compliance application provided by the approved (i.e., posted) CAN.	6		CANs provide instructions to CEAs regarding how to assess compliance with enforceable Standards. CANs are to be used by CEAs when they are posted as Final on the NERC Web site. CANs are instruction to CEAs on a going-forward basis and registered entities are encouraged to update their sabotage reporting procedure as guidance is provided. The CAN provides instruction for a CEA to verify a registered entity's most recent document to provide an entity the opportunity to make any adjustments necessary to its process.
FERC/Jurisdiction	As written, footnote 4 goes beyond FERC jurisdiction.	2*		CIP-001 was drafted prior to the mandatory and effective date of the standards and the subsequent approval of the NERC glossary. At the time of drafting, the distinction between BPS and BES was not considered and the term "facilities" was not changed (capitalized) at the time the definition was approved in the NERC glossary. Therefore, at this point in time, it is not considered to be a defined term. NERC has a responsibility to maintain the reliable operation of the BPS, as defined in Section 215.a.4 of the Federal Power Act.