

## Consideration of Comments on Initial Ballot — Interpretation of CIP-001-1 for Covanta Energy (Project 2009-09)

### Summary Consideration:

Overall, the comments covered the following main ideas:

- Remove references to other standards in the interpretation
- Be more prescriptive as to who must be notified of sabotage events

The drafting team provided references to other standards as examples for information purposes only.

The drafting team resisted the suggestions for more prescription, indicating that doing so would create more confusion, not less. The specification of who ought to receive reports of sabotage events may not be applicable in all cases at all times. The drafting team maintains that the responsible entity shall make the determination as required in the standard.

If you feel that the drafting team overlooked your comments, 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](mailto:gerry.adamski@nerc.net). In addition, there is a NERC Reliability Standards Appeals Process.<sup>1</sup>

Voter	Entity	Segment	Vote	Comment
Terry Harbour	MidAmerican Energy Co.	1	Affirmative	All references to other standards should be dropped. The responsible entity should determine and list the "appropriate parties"
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p>				
Robert Martinko	FirstEnergy Energy Delivery	1	Affirmative	Although we have cast an Affirmative vote to this interpretation, we offer the following suggestions for improvement: 1. With regard to the question of whom the appropriate parties are in the Interconnection, you can point directly to the Purpose statement of CIP-001-1 which states "Disturbances or unusual occurrences, suspected or determined to be caused by sabotage, shall be reported to the appropriate systems, governmental agencies, and regulatory bodies." Therefore, one can conclude that the appropriate parties are "appropriate systems, governmental agencies, and regulatory bodies" which includes the impacted neighboring electric systems, law enforcement officials, and regulators such as FERC, NERC, RFC, etc. 2. With regard to the question of who in the Interconnection deems the parties to be

<sup>1</sup> The appeals process is in the Reliability Standards Development Procedure: [http://www.nerc.com/files/RSDP\\_V6\\_1\\_12Mar07.pdf](http://www.nerc.com/files/RSDP_V6_1_12Mar07.pdf).

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				<p>appropriate, we agree that there is no interconnection authority that has such a role. However, we feel that there is another potential answer to this question. We believe that as written the standard implies that the entities themselves have the responsibility of determining the appropriate parties while the compliance enforcement authority determines if the responsible entity has chosen the appropriate parties. 3. With regard to the phrase "physical or cyber event information" in the first sentence of the interpretation, we suggest changing this to "sabotage information". We feel our proposed wording is a more accurate description of the "information" to be communicated.</p>
<p>Joanne Kathleen Borrell</p>	<p>FirstEnergy Solutions</p>	<p>3</p>	<p>Affirmative</p>	<p>Although we have cast an Affirmative vote to this interpretation, we offer the following suggestions for improvement: 1. With regard to the question of whom the appropriate parties are in the Interconnection, you can point directly to the Purpose statement of CIP-001-1 which states "Disturbances or unusual occurrences, suspected or determined to be caused by sabotage, shall be reported to the appropriate systems, governmental agencies, and regulatory bodies." Therefore, one can conclude that the appropriate parties are "appropriate systems, governmental agencies, and regulatory bodies" which includes the impacted neighboring electric systems, law enforcement officials, and regulators such as FERC, NERC, RFC, etc. 2. With regard to the question of who in the Interconnection deems the parties to be appropriate, we agree that there is no interconnection authority that has such a role. However, we feel that there is another potential answer to this question. We believe that as written the standard implies that the entities themselves have the responsibility of determining the appropriate parties while the compliance enforcement authority determines if the responsible entity has chosen the appropriate parties. 3. With regard to the phrase "physical or cyber event information" in the first sentence of the interpretation, we suggest changing this to "sabotage information". We feel our proposed wording is a more accurate description of the "information" to be communicated.</p>

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Mark S Travaglianti	FirstEnergy Solutions	6	Affirmative	<p>Although we have cast an Affirmative vote to this interpretation, we offer the following suggestions for improvement: 1. With regard to the question of whom the appropriate parties are in the Interconnection, you can point directly to the Purpose statement of CIP-001-1 which states "Disturbances or unusual occurrences, suspected or determined to be caused by sabotage, shall be reported to the appropriate systems, governmental agencies, and regulatory bodies." Therefore, one can conclude that the appropriate parties are "appropriate systems, governmental agencies, and regulatory bodies" which includes the impacted neighboring electric systems, law enforcement officials, and regulators such as FERC, NERC, RFC, etc. 2. With regard to the question of who in the Interconnection deems the parties to be appropriate, we agree that there is no interconnection authority that has such a role. However, we feel that there is another potential answer to this question. We believe that as written the standard implies that the entities themselves have the responsibility of determining the appropriate parties while the compliance enforcement authority determines if the responsible entity has chosen the appropriate parties. 3. With regard to the phrase "physical or cyber event information" in the first sentence of the interpretation, we suggest changing this to "sabotage information". We feel our proposed wording is a more accurate description of the "information" to be communicated.</p>
Douglas Hohlbaugh	Ohio Edison Company	4	Affirmative	<p>Although we have cast an Affirmative vote to this interpretation, we offer the following suggestions for improvement: 1. With regard to the question of whom the appropriate parties are in the Interconnection, you can point directly to the Purpose statement of CIP-001-1 which states "Disturbances or unusual occurrences, suspected or determined to be caused by sabotage, shall be reported to the appropriate systems, governmental agencies, and regulatory bodies." Therefore, one can conclude that the appropriate parties are "appropriate systems, governmental agencies, and regulatory bodies" which includes the impacted neighboring electric systems, law enforcement officials, and regulators such as FERC, NERC, RFC, etc. 2. With regard to the question of who in the Interconnection deems the parties to be appropriate, we agree that there is no interconnection authority that has such a role. However, we feel that there is another potential answer to this question. We believe that as written the standard implies that the entities themselves have the responsibility of determining the appropriate parties while the compliance enforcement authority determines if the responsible entity has chosen the</p>

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				appropriate parties. 3. With regard to the phrase "physical or cyber event information" in the first sentence of the interpretation, we suggest changing this to "sabotage information". We feel our proposed wording is a more accurate description of the "information" to be communicated.
Kenneth Dresner	FirstEnergy Solutions	5	Affirmative	Comments Although we have cast an Affirmative vote to this interpretation, we offer the following suggestions for improvement: 1. With regard to the question of whom the appropriate parties are in the Interconnection, you can point directly to the Purpose statement of CIP-001-1 which states "Disturbances or unusual occurrences, suspected or determined to be caused by sabotage, shall be reported to the appropriate systems, governmental agencies, and regulatory bodies." Therefore, one can conclude that the appropriate parties are "appropriate systems, governmental agencies, and regulatory bodies" which includes the impacted neighboring electric systems, law enforcement officials, and regulators such as FERC, NERC, RFC, etc. 2. With regard to the question of who in the Interconnection deems the parties to be appropriate, we agree that there is no interconnection authority that has such a role. However, we feel that there is another potential answer to this question. We believe that as written the standard implies that the entities themselves have the responsibility of determining the appropriate parties while the compliance enforcement authority determines if the responsible entity has chosen the appropriate parties. 3. With regard to the phrase "physical or cyber event information" in the first sentence of the interpretation, we suggest changing this to "sabotage information". We feel our proposed wording is a more accurate description of the "information" to be communicated.
<p><b>Response:</b> Thank you for your comments. The drafting team acknowledges your point about the purpose statement. As the statement is clear, there is not a need to repeat in the requirement. In regard to your second comment, the drafting team interprets the standard to require responsible entities to make the determination of appropriate parties. Lastly, the drafting team asserts that the scope of the information includes physical and cyber events. The cause or nature of any event is sometimes not immediately apparent, and therefore the phrase "sabotage information" is presumptive and may be inaccurate.</p>				
Harvie D. Beavers	Colmac Clarion/Piney Creek LP	5	Affirmative	Minimum reporting responsibility is known and identical to other elements of reporting and could be clearly defined in this answer. Statement concerning 'other' obligations cannot, and should not be specific, just as written in this response.

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<p><b>Response:</b> Thank you for your comment. The drafting team interprets the standard to require responsible entities to make the determination of appropriate parties; therefore, “minimum reporting responsibility” or “other obligations” is for the responsible entity to identify.</p>				
Lee Schuster	Florida Power Corporation	3	Affirmative	Progress Energy agrees with the proposed NERC interpretation, and is voting Affirmative. However, Progress Energy believes the interpretation can be improved by deleting the sentence “For example, reporting responsibilities result from NERC standards IRO-001 Reliability Coordination “ Responsibilities and Authorities, COM-002-2 Communication and Coordination, and TOP-001 Reliability Responsibilities and Authorities, among others.” The preceding sentence, if included, could cause confusion that there is some direct linkage to or additional requirements for IRO-001, COM-002, or TOP-001 as it relates to this CIP-001-1 interpretation.
Sammy Roberts	Progress Energy Carolinas	1	Affirmative	Progress Energy agrees with the proposed NERC interpretation, and is voting Affirmative. However, Progress Energy believes the interpretation can be improved by deleting the sentence “For example, reporting responsibilities result from NERC standards IRO-001 Reliability Coordination “ Responsibilities and Authorities, COM-002-2 Communication and Coordination, and TOP-001 Reliability Responsibilities and Authorities, among others.” The preceding sentence, if included, could cause confusion that there is some direct linkage to or additional requirements for IRO-001, COM-002, or TOP-001 as it relates to this CIP-001-1 interpretation.
Sam Waters	Progress Energy Carolinas	3	Affirmative	Progress Energy agrees with the proposed NERC interpretation, and is voting Affirmative. However, Progress Energy believes the interpretation can be improved by deleting the sentence “For example, reporting responsibilities result from NERC standards IRO-001 Reliability Coordination “ Responsibilities and Authorities, COM-002-2 Communication and Coordination, and TOP-001 Reliability Responsibilities and Authorities, among others.” The preceding sentence, if included, could cause confusion that there is some direct linkage to or additional requirements for IRO-001, COM-002, or TOP-001 as it relates to this CIP-001-1 interpretation.
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p>				

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Kenneth Goldsmith	Alliant Energy Corp. Services, Inc.	4	Affirmative	While I am voting affirmative on this ballot, I believe the interpretation process should just answer the question and not elaborate with further discussion since the additional discussion may introduce additional questions.
<b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about "further discussion." The team offered supporting explanation for information purposes in order to minimize additional questions.				
Bob C. Thomas	Illinois Municipal Electric Agency	4	Negative	Additional clarification needed.
Charles A. Freibert	Louisville Gas and Electric Co.	3	Negative	As currently worded, the interpretation sheds no more light on what it is registered entities need to do than does the requirement itself. There is no reason why NERC cannot provide more clarity to registered entities endeavoring to comply with vague requirements.
Charlie Martin	Louisville Gas and Electric Co.	5	Negative	As currently worded, the interpretation sheds no more light on what it is registered entities need to do than does the requirement itself. There is no reason why NERC cannot provide more clarity to registered entities endeavoring to comply with vague requirements.
Daryn Barker	Louisville Gas and Electric Co.	6	Negative	As currently worded, the interpretation sheds no more light on what it is registered entities need to do than does the requirement itself. There is no reason why NERC cannot provide more clarity to registered entities endeavoring to comply with vague requirements.
<b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.				

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Steve Alexanderson	Central Lincoln PUD	3	Negative	Central Lincoln votes no. The drafting team suggests guidance can be sought from other specified and unspecified standards, but the example standards say nothing regarding the reporting of physical or cyber security events. We are unaware of any other standard other than CIP-001 that deals with the communication of these events. In addition, the third paragraph conflicts with the second. The third says the drafting team knows of no interconnection authority who deems which parties may be appropriate. The second says it is the registered entity that must identify the appropriate parties (and therefore has the authority to make the determination.)
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p> <p>The drafting team interprets this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. As such, there is no interconnection authority other than the responsible entity itself that must make the determination.</p>				
Larry Monday	E.ON U.S. LLC	1	Negative	E ON U.S. believes NERC CIPC should more appropriately be providing the subject interpretation rather than the more narrowly focused CS 706 Standards Drafting Team. As currently worded, the interpretation sheds no more light on what it is registered entities need to do than does the requirement itself. There is no reason why NERC cannot provide more clarity to registered entities endeavoring to comply with vague requirements.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				
Ajay Garg	Hydro One Networks, Inc.	1	Negative	Hydro One casts a negative vote in the interpretation of the standard CIP-001-1 requested by Covanta Energy with the following comments. 1. Requirement R2 of CIP-001-1 is limited to require that the RC, BA, TOP, GOP and LSE have procedures in place for the communication of information concerning sabotage events. 2. Requirement R2 does not necessitate that specific "appropriate entities" be identified in the procedures. The "appropriate entities" will be determined by the incident and potential impact. 3. The list of entities should not be considered to be required as auditable evidence in a compliance audit.

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Michael D. Penstone	Hydro One Networks, Inc.	3	Negative	Hydro One casts a negative vote in the interpretation of the standard CIP-001-1 requested by Covanta Energy with the following comments. 1. Requirement R2 of CIP-001-1 is limited to require that the RC, BA, TOP, GOP and LSE have procedures in place for the communication of information concerning sabotage events. 2. Requirement R2 does not necessitate that specific "appropriate entities" be identified in the procedures. The "appropriate entities" will be determined by the incident and potential impact. 3. The list of entities should not be considered to be required as auditable evidence in a compliance audit.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. In order to comply with the Requirement R2, a procedure must be in place for communication of these events. The omission of a list of recipients makes no logical sense because timely communication would be impaired without one.</p>				
Donald Gilbert	JEA	5	Negative	I am concerned that the proposed clarification does not sufficiently define the parties to whom notification should be provided. The reference to obligations arising from "agreements, processes and procedures" may be over reaching beyond the benefits of NERC's reliability goals, since it may encompass contractual or other obligations that are not related to grid reliability. However, it may be under reaching by excluding certain NERC registered entities performing reliability functions who have a responsibility for responding to the information, and are in the appropriate hierarchy for reporting purposes.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				
Linda Campbell	Florida Reliability Coordinating Council	10	Negative	I do not agree with the interpretation as written. The reference to COM-002 as an example does not help as it uses "appropriate" to describe the RC's, BA's and TOP's that need to be communicated to so it has the same problem. The reference back to R2 in CIP-001 does not help either as that is the requirement that is the subject of the interpretation. I would have rather seen something like - appropriate means their RC and adjacent BA's and TOP. I do not think the interpretation helps at all so it does nothing to append it to the standard.

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<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes in order to minimize confusion.</p> <p>While specifying only the "RC and adjacent BA's and TOP" is more definitive and clear, such a prescriptive interpretation may not fit all situations. The drafting team interprets this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				
Roger C Zaklukiewicz	Roger C Zaklukiewicz	8	Negative	Identification of the process for reporting events should be well documented but not the "appropriate entities" as required by CIP-001-1 Requirement R2; they will be determined by the incident and potential impact(s).
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. We agree that in order to comply with the Requirement R2, a procedure must be in place for reporting of these events. The omission of a list of recipients from the procedure makes no logical sense because timely communication would be impaired without one.</p>				
Kathleen Goodman	ISO New England, Inc.	2	Negative	ISO New England believe identifying the process for reporting events should be documented, as required in CIP-001-1 Requirement R2, but not the "appropriate entities." The "appropriate entities" will be determined by the incident and potential impact. Also, we also believe that, the correct response to "who within the Interconnection hierarchy deems parties to be appropriate" would be the reporting entity's Reliability Coordinator.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. We agree that in order to comply with the Requirement R2, a procedure must be in place for reporting of these events. The omission of a list of recipients from the procedure makes no logical sense because timely communication would be impaired without one.</p> <p>With regard to "who within the Interconnection hierarchy deems parties to be appropriate," your suggestion that it be the reporting entity's Reliability Coordinator may be appropriate in your region. The drafting team is not aware of an explicit authorization for the Reliability Coordinator to determine appropriate parties for reporting of physical and cyber events.</p>				
Garry Baker	JEA	3	Negative	JEA feels the referenced obligations arising from "agreements, processes and procedures" should be removed. These may be overly inclusive, since they may include obligations that are not related to grid reliability and may fail to include parties that perform one or more reliability functions.

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<p><b>Response:</b> Thank you for your comment. The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes.</p>				
Bruce Merrill	Lincoln Electric System	3	Negative	LES believes the interpretation process should just answer the question asked, and not elaborate with further discussion since this additional discussion may introduce additional questions. The references to the IRO-001, COM-002-2, and TOP-001 standards in this Interpretation only add confusion.
Dennis Florom	Lincoln Electric System	5	Negative	LES believes the interpretation process should just answer the question asked, and not elaborate with further discussion since this additional discussion may introduce additional questions. The references to the IRO-001, COM-002-2, and TOP-001 standards in this Interpretation only add confusion.
Eric Ruskamp	Lincoln Electric System	6	Negative	LES believes the interpretation process should just answer the question asked, and not elaborate with further discussion since this additional discussion may introduce additional questions. The references to the IRO-001, COM-002-2, and TOP-001 standards in this Interpretation only adds confusion.
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p>				
Tom Foreman	Lower Colorado River Authority	5	Negative	LPPC members are concerned that the proposed clarification poorly defines the parties to whom notification should be provided. On the one hand, the reference to obligations arising from "agreements, processes and procedures" may be overly inclusive from the standpoint of NERC's reliability mission, since it may encompass contractual or other obligations that are not related to grid reliability. On the other hand, the interpretation may fail to include all NERC registered parties performing reliability functions who have a responsibility for responding to the information, and are in the appropriate hierarchy for reporting purposes. We also note that the list of such entities will vary by functional entity, and regionally. Given the wide range of potential parties to whom reporting of this type may be appropriate, LPPC recommends that the proposed clarification be rejected. While LPPC would not rule out the potential for some further definition, its members believe that the industry would be better served, at this time, by permitting responsible entities to devise their

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				own list of appropriate parties to whom reports should be made.
<p><b>Response:</b> Thank you for your comment. The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and to devise their own lists.</p>				
Ray Mammarella	PP&L, Inc.	1	Negative	NERC and/or its representatives should provide clear direction to registered entities when responding to interpretations. The response to this interpretation is too general and therefore, of little value to the registered entities. A vague response may result in a gap in reliability that otherwise could be identified and cared for; such a response also makes it unnecessarily difficult to ascertain if an entity is compliant or not.
Mark A. Heimbach	PPL Generation LLC	5	Negative	NERC and/or its representatives should provide clear direction to registered entities when responding to interpretations. The response to this interpretation is of little value to the registered entities.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				

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Thomas J. Bradish	RRI Energy	5	Negative	RRI voted negative given the ambiguous phrases such as "appropriate parties." Such ambiguity would only serve to harm an auditor's otherwise objective audit. These ambiguous phrases may have been acceptable when the Reliability Standards were voluntary. Now that the Standards are mandatory and enforceable the Requirements must be clear and unambiguous. The Interpretation states that "[T]he drafting team asserts that those entities to which communication sabotage events is appropriate would be identified by the reporting entity and documented within the procedure required in CIP-001-1 Requirement R2." We interpret this to mean that as long as the reporting entity does what its procedure states then it is in compliance. The purpose of the Standards should not only be to make sure that reporting entities do what they state they will do but that they will perform in accordance with the Requirement to maintain an Acceptable Level of Reliability ("ALR"). In our opinion, it makes more sense for the Standard to require the notification of sabotage to the local police, Department of Homeland Security and the Reliability Coordinator? Taken at face-value the Interpretation allows reporting entities to establish CIP-001 procedures that report the sabotage event to upper management as the appropriate party. Such a result will serve the purpose of "papering" the Requirement with a procedure so as to be auditably compliant but may not serve the purpose of maintaining ALR.
Trent Carlson	RRI Energy	6	Negative	RRI voted negative given the ambiguous phrases such as "appropriate parties." Such ambiguity would only serve to harm an auditor's otherwise objective audit. In addition, such ambiguous concepts could require an auditor (and a Registered Entity's contracts department) to review every contract ever entered by that Entity. Such a potential application of this vague provision significantly increases the full time employee count of both Regional Entity audit teams and Registered Entity contract compliance departments, with little or no benefit to the reliability of the Bulk Electric System. These ambiguous phrases may have been acceptable when the Reliability Standards were voluntary. Now that the Standards are mandatory and enforceable the Requirements must be clear and unambiguous. The Interpretation states that "[T]he drafting team asserts that those entities to which communication sabotage events is appropriate would be identified by the reporting entity and documented within the procedure required in CIP-001-1 Requirement R2." We interpret this to mean that as long as the reporting entity does what its procedure states then it is in compliance. The purpose of the Standards should not only be to make sure that reporting entities do what they state they will do but that they will perform in

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				<p>accordance with the Requirement to maintain an Acceptable Level of Reliability ("ALR"). In our opinion, it makes more sense for the Standard to require the notification of sabotage to the local police, Department of Homeland Security and the Reliability Coordinator? Taken at face-value the Interpretation allows reporting entities to establish CIP-001 procedures that report the sabotage event to upper management as the appropriate party. Such a result will serve the purpose of "papering" the Requirement with a procedure so as to be auditably compliant but may not serve the purpose of maintaining ALR.</p>
<p><b>Response:</b> Thank you for your comment. The drafting team agrees that ambiguity is undesirable. However, the drafting team interprets this standard to unambiguously require the responsible entity to determine which parties ought to receive reports of sabotage events. Furthermore, the responsible entity shall have a procedure in place (written by the responsible entity). Such a procedure ought to include the parties that the responsible entity deems appropriate for the receipt of sabotage event reports.</p> <p>With respect to your closing comment, the drafting team asserts that the purpose of any standard, including this one, is for ensuring an adequate level of reliability.</p>				
Jim D. Cyrulewski	JDRJC Associates	8	Negative	Should be left to the responsible entity to define in their Business Practice who are the appropriate parties.
<p><b>Response:</b> Thank you for your comment. The drafting team agrees that this standard requires the responsible entity to determine which parties ought to receive reports of physical and cyber events.</p>				
John D. Martinsen	Public Utility District No. 1 of Snohomish County	4	Negative	<p>The District is concerned that the proposed clarification poorly defines the parties to whom notification should be provided. The reference to obligations arising from "agreements, processes, and procedures" may be overly inclusive from the standpoint of NERC's reliability mission, since it may encompass contractual or other obligations that are not related to grid reliability. Given the wide range of potential parties to whom reporting of this type may be appropriate, the District supports that the proposed clarification be rejected. The District would not rule out the potential for some further definition, we believe that the industry would be better served at this time, by permitting responsible entities to devise their own list of appropriate parties to whom reports should be made.</p>

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<p><b>Response:</b> Thank you for your comment. The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and to devise their own lists.</p>				
David H. Boguslawski	Northeast Utilities	1	Negative	The drafting team asserts that those entities to which communicating sabotage events is appropriate would be identified by the reporting entity and documented within the procedure required in CIP-001-1 Requirement R2. NU believes that identifying the process for reporting events should be documented, as required in CIP-001-1 Requirement R2, but not the "appropriate entities". NU asserts that the "appropriate entities" will be determined by the incident and potential impact which thereby makes the development of a "procedural list of appropriate parties" for all possible situations impractical.
<p><b>Response:</b> Thank you for your comment. The drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. We agree that in order to comply with the Requirement R2, a procedure must be in place for reporting of these events. The omission of a list of recipients from the procedure makes no logical sense because timely communication would be impaired without one.</p>				
Joseph O'Brien	Northern Indiana Public Service Co.	6	Negative	The final sentence of the interpretation appears to be a disclaimer. Variance in Regional Entity definitions of the BES should be eliminated by NERC especially since there are entities that span multiple regions.
<p><b>Response:</b> Thank you for your comment. The drafting team was merely answering the question it was asked. The drafting team is not aware of an explicit authorization for any entity "within the Interconnection hierarchy" to determine appropriate parties for reporting of physical and cyber events.</p>				
Greg Tillitson	California ISO	2	Negative	The interpretation as worded does not answer the question. In other words, the interpretation needs interpretation, which is not acceptable.
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				
Samuel	Covanta	5	Negative	The interpretation failed to answer the key question.

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Cabassa	Energy			
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. The key question in the drafting team's view is "who is responsible for determining" the appropriate parties to whom to report physical and cyber events; the drafting team believes it is the responsible entity.</p>				
Jalal (John) Babik	Dominion Resources, Inc.	3	Negative	The interpretation to the standard CIP-001-1 R3 "appropriate parties in the Interconnection" to whom sabotage events must be communicated by RCs, TOPs, BAs, GOPs, and LSEs is not clearly defined. The standard drafting team cites three existing standards from which reporting requirements can be derived. Two of them, IRO-001 and TOP-001, have nothing to do with sabotage reporting, and to cite them in this way is an indirect interpretation of those two standards that is outside the ANSI accredited stakeholder process. The third standard cited, COM-002, is marginally relevant, to ensure communications by operating personnel are effective.
Mike Garton	Dominion Resources, Inc.	5	Negative	The interpretation to the standard CIP-001-1 R3 "appropriate parties in the Interconnection" to whom sabotage events must be communicated by RCs, TOPs, BAs, GOPs, and LSEs is not clearly defined. The standard drafting team cites three existing standards from which reporting requirements can be derived. Two of them, IRO-001 and TOP-001, have nothing to do with sabotage reporting, and to cite them in this way is an indirect interpretation of those two standards that is outside the ANSI accredited stakeholder process. The third standard cited, COM-002, is marginally relevant, to ensure communications by operating personnel are effective.
Louis S Slade	Dominion Resources, Inc.	6	Negative	The interpretation to the standard CIP-001-1 R3 "appropriate parties in the Interconnection" to whom sabotage events must be communicated by RCs, TOPs, BAs, GOPs, and LSEs is not clearly defined. The standard drafting team cites three existing standards from which reporting requirements can be derived. Two of them, IRO-001 and TOP-001, have nothing to do with sabotage reporting, and to cite them in this way is an indirect interpretation of those two standards that is outside the ANSI accredited stakeholder process. The third standard cited, COM-002, is marginally relevant, to ensure communications by operating personnel are effective.

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William L. Thompson	Dominion Virginia Power	1	Negative	The interpretation to the standard CIP-001-1 R3 “appropriate parties in the Interconnection” to whom sabotage events must be communicated by RCs, TOPs, BAs, GOPs, and LSEs is not clearly defined. The standard drafting team cites three existing standards from which reporting requirements can be derived. Two of them, IRO-001 and TOP-001, have nothing to do with sabotage reporting, and to cite them in this way is an indirect interpretation of those two standards that is outside the ANSI accredited stakeholder process. The third standard cited, COM-002, is marginally relevant, to ensure communications by operating personnel are effective.
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p>				
Edwin Les Barrow	City Public Service of San Antonio	3	Negative	The language about determination of the parties to whom a responsible entity should report be based on processes or procedures, or contracts with other parties is too broad and may create obligations to report that are not related to reliability. The interpretation should simply state that the drafting team asserts that those entities to which communicating sabotage events is appropriate would be identified by the reporting entity and documented within the procedure required in CIP-001-1.
<p><b>Response:</b> Thank you for your comment. The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and to devise their own lists.</p>				
Anita Lee	Alberta Electric System Operator	2	Negative	The NERC Response implies that a responsible entity must review every standard, guideline, process, procedure, and operating agreement that may affect the responsible entity to determine if there may be a related obligation or responsibility to report a sabotage event. Such an open ended requirement cannot be effectively measured by an auditor, since it requires proof of a negative assertion. That is, a responsible entity cannot provide any evidence to establish that no document exists that has not been reviewed for a possible reporting obligation. Therefore, this is cannot be implemented as a standard.
<p><b>Response:</b> The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and believes the responsible entities should devise their own lists.</p>				

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Ted E. Hobson	JEA	1	Negative	The reference to obligations arising from "agreements, processes and procedures" is too broad. Otherwise, this interpretation is ok.
<b>Response:</b> The drafting team provided examples of the types of obligations that may require reporting. These were offered for explanatory purposes.				
Jonathan Appelbaum	Long Island Power Authority	1	Negative	the reference to obligations arising from "agreements, processes and procedures" may be overly inclusive from the standpoint of NERC's reliability mission, since it may encompass contractual or other obligations that are not related to BES reliability. On the other hand, the interpretation may fail to include all NERC registered parties performing reliability functions who have a responsibility for responding to the information, and are in the appropriate hierarchy for reporting purposes. Also note that the list of such entities will vary by functional entity, and regionally. Responsible entities should devise their own list of appropriate parties to whom reports should be made, subject to oversight of the auditing teams.
<b>Response:</b> Thank you for your comment. The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be limiting and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and to devise their own lists.				
Catherine Koch	Puget Sound Energy, Inc.	1	Negative	The response indicates the collective group of entities to which reporting must occur based on responsibilities and/or obligations is focused on "physical or cyber security event information". This could easily be interpreted to mean events relative to critical assets or critical cyber assets as defined by CIP-002 through CIP-009. While the drafting team did not write this, the terms are so close to that which is within those standards, PSE believes entities could become confused by this. In fact the reporting is focused on "sabotage" in general which could relate to assets and actions far outside of what's deemed critical by CIP-002. PSE finds the inclusion of the examples IRO-001, COM-002 and TOP-001 a little confusing as well. It seems that the drafting team is providing guidance on how an entity can determine its responsibilities/obligations. However the term "reporting responsibilities" may be easily misinterpreted to imply communication of more than sabotage information under this standard. It may be helpful to begin the response by stating it's the registered entity's responsibility to determine who "appropriate parties" are. From there the drafting team can provide guidance on how an entity determines this and

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				<p>then documents this which was a good reminder. The NERC glossary defines the term Interconnection to be "When capitalized, any one of the three major electric system networks in North American: Eastern, Western, and ERCOT. It appears by determining appropriateness through agreements and procedures with specific parties, this doesn't get too overwhelming and keeps from requiring an entity to notify any other entity for which they have no connection with, but happen to be in the same major electric system network. Some clarity of that in this interpretation would be appreciated.</p>
<p><b>Response:</b> The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and devise their own lists as part of their internal procedures.</p>				
Scott A Etnoyer	Constellation Power Source Generation, Inc.	5	Negative	<p>This interpretation does not provide adequate resolution to the identified problem in Covanta's request for interpretation. It still leaves open to interpretation between auditors and responsible entities the issue of whether the responsible entity identified appropriate interconnection parties.</p>
<p><b>Response:</b> Thank you for your comment. The drafting team may only interpret what a standard requires and not create new requirements. As such, the drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information.</p>				
Guy V. Zito	Northeast Power Coordinating Council, Inc.	10	Negative	<p>This interpretation implies that the reporting entity can communicate to whomever they place on their "appropriate parties" list. The list can be developed through review of any agreements the reporting entity believes are applicable for sabotage reporting. The background agreements from which the entries to these lists will not be reviewed during a compliance audit. This results in an audit confirming that the entity has some list (which is an unfounded list) for a requirement- R2- that only stipulates an entity must have have a procedure.</p>
<p><b>Response:</b> Thank you for your comment. The drafting team views this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information. In order to comply with the Requirement R2, a procedure must be in place for</p>				

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reporting of these events. The drafting team asserts that omission of a list of recipients from the procedure makes no logical sense because timely communication would be impaired without one.				
John J. Blazekovich	Exelon Energy	1	Negative	This interpretation does not provide clarification, and in fact makes the requirement even more ambiguous. We believe that the notification should be made to the appropriate Reliability Coordinator so that the RC may cascade the message to other RC's in North America.
<p><b>Response:</b> Thank you for your comment. The drafting team agrees that ambiguity is undesirable. However, the drafting team interprets this standard to unambiguously require the responsible entity to determine which parties ought to receive reports of sabotage events. With regard to your suggestion to notify the reporting entity's Reliability Coordinator may be appropriate in your region. As such, your list of appropriate parties will include the RC to whom you report physical and cyber events.</p>				
Kirit S. Shah	Ameren Services	1	Negative	We agree with the second part of the interpretation that appropriate parties would be identified by the reporting entity. From our perspective, this would include a procedure to communicate internally and with its own and neighboring RC, BA, and TOP as appropriate. But we have some concerns with the first part of the interpretation because it is vague as it implies that the list of these entities should result from requirements of the other standards. Should the entity go through each requirement and prepare a list to meet and show compliance with the CIP-001, R2?
<p><b>Response:</b> Thank you for your comment. The drafting team acknowledges your concern about references to other standards. The interpretation clearly refers to other NERC standards as examples for information purposes only.</p> <p>The drafting team provided examples of the types of obligations that may require reporting. It is not intended to be all encompassing and was offered for explanatory purposes. The drafting team agrees with your comment that this standard requires the responsible entity to determine which appropriate parties ought to receive sabotage information and to devise their own lists.</p>				
Kim Warren	Independent Electricity System Operator	2	Negative	We are of the view that the interpretation needs to be more specific regarding the parties to be communicated with since significant doubt would remain as to whether or not the required communication processes have been established with all necessary parties. We further recommend that Requirement R2 be revised to explicitly identify such parties when CIP-001 next comes up for revision.

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<p><b>Response:</b> Thank you for your comment. The drafting team believes that a prescriptive interpretation may not fit all situations. The suggestion to revise CIP-001 is outside the scope of the RFI process; however, Project 2009-01 Disturbance and Sabotage Reporting, which is in its early stages, involves revising CIP-001 and EOP-004.</p>				
Brian Evans-Mongeon	Utility Services LLC	8	Negative	<p>We feel the interpretation is too vague and fails to address the request overall. "Appropriate entities" should be those organizations that need to know given the event and the circumstances. Within an interconnection, the entities that should be made aware of the event are the Registered Entity's Reliability Coordinator and or Transmission Provider(s).</p>
<p><b>Response:</b> Thank you for your comment. The drafting team believes that specifying only the Reliability Coordinator and Transmission Provider may be more definitive and clear; however, such a prescriptive interpretation may not fit all situations. The drafting team interprets this standard to require the responsible entities to determine which appropriate parties ought to receive sabotage information and to incorporate the determination in a documented procedure.</p>				