

# Confidentiality Compliance Concerns in relation to CIP-014-2 Physical Security

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## Purpose of CIP-014-2 standard

Identify and protect Transmission stations and Transmission substations, and their associated primary control centers, that if rendered inoperable or damaged as a result of a physical attack could result in instability, uncontrolled separation, or Cascading within an Interconnection.

- Requirements stated in CIP-014-2 do not allow for transparency when issues related to physical security of a facility are in question (see R2.4).
- Order 1000 transparency requirements and CIP-014-2 confidentiality requirements conflict and lead to concerns about process/transparency associated with CIP-014-2 facilities.

## PJM has reached out to the Reliability First (RF) Entity Engagement Group to discuss the issue.

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RF included SERC Reliability Corporation (SERC) representatives on the various calls.

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PJM led discussions that illustrated two main areas of concern:

- Avoidance
- Mitigation

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PJM asked that RF and SERC engage with the larger Electric Reliability Organization (ERO) via the North American Electric Reliability Corporation (NERC) CIP Compliance Task Force (CCTF) to get more widespread feedback.

## Mitigation

- **Mitigation implicates CIP-014 requirements**

**CIP-14-2 R2.4** requires that Each Transmission Owner shall implement procedures, such as the use of nondisclosure agreements, for protecting sensitive or confidential information made available to the unaffiliated third party verifier and to protect or exempt sensitive or confidential information developed pursuant to this Reliability Standard from public disclosure.

**CIP-014-2 R2.1** limits who can perform third party verification, stating each Transmission Owner shall select an unaffiliated verifying entity that is either a registered Planning Coordinator, Transmission Planner, or Reliability Coordinator; or an entity that has transmission planning or analysis experience.

- **Sharing of CIP-014-2 information is limited to asset owners, third party verifier (review analysis and security plans) and Regional Entities.**

## Avoidance

- General feedback received by the Regional Entities was that PJM's avoidance strategy may not implicate CIP-014-2 requirements.
- General feedback from the Regional Entities is that the FERC's ruling to approve the PJM Attachment M-4 process indicates that the confidentiality of critical facilities outweighs the requirement for transparency.
- Feedback from the Regional Entities that there are still confidentiality concerns in the avoidance area, therefore necessitating procedures, which in this case should require NDAs, among other protections where possible/appropriate, for protecting sensitive or confidential information.

## Mitigation

- Regional Entities indicated that compliance issues exist with confidentiality if details for mitigation were shared beyond the third party verifier (i.e. PJM).
- General feedback from ERO is that concerns over confidentiality significantly restrict transparency.  
*Standard limits sharing of information to applicable registered entities and third party verifiers*

PJM to reflect upon ERO feedback to determine options (if applicable) for a PJM mitigation criteria.