

Why Media's Inattention to FERC's Rulings Risks American Lives Oroville Dam Is Not an Anomaly

- The Federal Energy Regulatory Commission (FERC) is an obscure U.S. government agency that regulates much of America's critical infrastructure, including major hydroelectric dams, the electric grid, and natural gas pipelines.
- Five independent FERC commissioners make over 1,000 rulings each year that affect Americans' daily lives, but are essentially unaccountable to the public once they are confirmed for five-year terms. FERC commissioners cannot be fired.
- Near-failure of the Oroville Dam is a story that demonstrates that FERC's rulings do not make national headlines until lives are obviously at risk. FERC decided in 2007 to not install a concrete-reinforced spillway for the upper section of Oroville Dam in case flooding required emergency water release.
- Imprudent reliance on an earthen spillway was not a big news story until 188,000 people had to be evacuated in 2017. Back in 2005, three citizens groups—including the Sierra Club—petitioned FERC for a spillway upgrade, but few in the national media paid attention. FERC put off a decision on Oroville for 10 years. FERC's persistent refusal to implement dam safety in California is now big news, but it's a decade too late.
- While FERC's Oroville Dam decision affects hundreds of thousands, other obscure FERC decisions could result in the deaths of tens of millions of Americans.
- FERC regulates cybersecurity for the electric grid. In 2005, Congress mandated cyber-protection of communication networks for the electric grid. Twelve years later, FERC has still failed to implement this law. If a cyberattack causes a long-term grid blackout, all other infrastructures will be at risk, including food, water, and sewage treatment. The national media has not exposed FERC's complicity in persisting cybersecurity vulnerabilities.
- FERC regulates physical security for the electric grid. In 2014, under pressure from Congress, FERC asked an industry standard-setting body, the North American Electric Reliability Corporation (NERC) to set a standard for physical security of electric grid facilities. After lobbying by utilities, FERC agreed to exempt all generation plants and the grid's master control rooms from the physical security standard. The national media has ignored the critical details of FERC's ruling. A terrorist attack on the electric grid could blackout millions.
- FERC is responsible for making sure a catastrophic solar storm does not take down the electric grid. In March 1989, a small solar storm caused a day-long blackout for the province of Quebec, Canada. In 2013, FERC asked NERC to develop standards for solar storm protection. In 2015, the Los Alamos National Laboratory 2016 found the proposed NERC-FERC standard to be scientifically deficient. FERC approved the standard anyway—and the national media did not cover this story.
- Media needs to pay more attention to FERC, where obscure rulings have big impacts on public safety. Special interests lobby FERC and members of Congress to gain exemptions from needed regulations. There is an important story here. Will it be reported?

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