

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Joint Staff White Paper on Notices of)
Penalty Pertaining to Violations of Critical) Docket No. AD19-18-000
Infrastructure Protection Reliability Standards)

Comments on Transparency

Submitted to FERC on September 28, 2019

James LeBlanc, a private citizen, respectfully submits comments on FERC Docket No. AD19-18-000, Joint Staff White Paper on Notices of Penalty Pertaining to Violations of Critical Infrastructure Protection Reliability Standards.

My background is a former CFO of a chemical company, Chairman of the Louisiana Grid Coalition, a member of InfraGard, a member of Secure the Grid Coalition and author of *Real Risk Management for the Electrical Grid*. I have made presentations to the FBI, DHS and others relating to grid security and weaknesses of our current grid.

I am familiar with the "White Paper" proposed by the Federal Energy Regulatory Commission (FERC) and the North American Electric Reliability Corporation (NERC). In the White Paper, you comment that there have been an unprecedented number of FOIA requests for CIP NOPS. This should come as no surprise, as more people are becoming familiar with our grid system and its deficiencies and potential threats to it, especially if there are unresolved issues. It is only natural that people would want more transparency on such critical issues. The issue of security is also understandable, but without transparency, it is difficult for outside experts to weigh in on CIP violations that may need urgent correction.

Transparency is critical for a number of reasons, a few of which I have listed below:

1. Non-disclosure allows problems to remain hidden and possibly unresolved and possibly exploited by bad actors.
2. Outside experts do not have an opportunity to review data and make suggestions to staff/regulators.
3. Without transparency, latest technology, which may be useful, may not be utilized.

I am familiar with the research, analysis, and public dissemination of information about CIP violators conducted by retired U.S. Army Command Sergeant Major Michael Mabee as well as the "Alternate Proposal" he submitted to FERC on 3 September 2019. He makes excellent points in his proposal. I agree that such information is not a security risk. *Indeed, not disclosing it may allow bad actors, state and individuals, to exploit weaknesses*. We all know how easy information can be hacked and maliciously used. We should act immediately to close any weaknesses by operators. Disclosure can only help. Command Sergeant Major Michael Mabee's background and lengthy pertinent research certainly qualifies him to comment.

Transparency also serves another issue. If a violator knows they will not be identified, they will be less likely to fix an issue. Depending on the issue, it may be costly, impacting operating costs (and possibly stock price) or it could possibly be an issue that would benefit from outside experts, who may not be given the opportunity with a culture of non disclosure.

I urge you to consider my comments and those of people who have submitted on this transparency issue.

Respectfully submitted by James LeBlanc

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