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Docket Nos. RM16-15-000, RM15-25-000 and
RM16-1-000

Item Nos. E-3, E-4, E-1

FERC Moves to Implement FAST Act Provisions on Critical Infrastructure Information

The Federal Energy Regulatory Commission (FERC) has proposed to implement provisions of the Fixing America's Surface Transportation Act (FAST Act) that require the designation, protection and sharing of Critical Energy/Electric Infrastructure Information (CEII). Today's Notice of Proposed Rulemaking (NOPR) also would amend FERC regulations on Critical Energy Infrastructure Information.

The FAST Act, signed into law by President Barack Obama in December 2015, adds section 215A to the Federal Power Act to improve the security and resilience of energy infrastructure in the face of emergencies. FERC is required to issue regulations aimed at securing and sharing sensitive infrastructure information by:

- Establishing criteria and procedures to designate information as CEII;
- Prohibiting unauthorized disclosure of CEII;
- Establishing sanctions for FERC employees and certain other individuals who knowingly and willfully make unauthorized disclosures; and
- Facilitating voluntary sharing of CEII among federal, state, political subdivision and tribal authorities; the Electric Reliability Organization; regional entities; owners, operators, and users of critical electric infrastructure; and other entities deemed appropriate by the Commission.

Comments on the NOPR are due 45 days after publication in the *Federal Register*.

In other actions at today's meeting, FERC adopted final rules that:

- Require the North American Electric Reliability Corporation (NERC) to provide the Commission with access to NERC's transmission availability data system, generating availability data system and protection system misoperations database on a non-public and ongoing basis, limited to data regarding U.S. facilities provided to NERC on a mandatory basis. The rule will take effect upon issuance of a final rule implementing the FAST Act provisions. (RM15-25-000)
- Establish new reactive power requirements for newly interconnecting non-synchronous generators. This eliminates the exemption for wind generators from the requirement to provide reactive power, which is needed to control system voltage for efficient and reliable operation of the transmission system. The rule will take effect 90 days after publication in the *Federal Register*. (RM16-1-000)

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