

RM17-11-000 Final Rule (Revised Critical Infrastructure Protection Reliability Standard CIP-003-7 – Cyber Security – Security Management Controls): Burden Estimate Justification

On 2/9/2017, the NERC Board of Trustees revised CIP-003-6 to address FERC Order No. 822¹ directives regarding Low Impact External Routable Connectivity (LERC) and transient devices.

The Federal Energy Regulatory Commission (i.e. FERC or the Commission) issued a Notice of Proposed Rulemaking (NOPR)² in Docket No. RM17-11-000 on 10/19/2017 proposing the revision of Reliability Standard CIP-003-6 (which resulted in the adoption of Reliability Standard CIP-003-7). These revisions clarified obligations pertaining to electronic access for transient electronic devices (e.g. thumb drives, laptops) that are frequently connected to and disconnected from low impact BES Cyber Systems. These revisions also required responsible entities to have policies and plans for responding to CIP Exceptional Circumstances related to the low impact BES Cyber Systems.

The RM17-11-000 NOPR provided the public a comment period 60 days in duration past publication in the Federal Register. Of the comments the Commission received, not one of them was related to reporting requirements or the related paperwork burden. Rather, the comments expressed general support of the Commission's proposal to approve Reliability Standard CIP-003-7.

Per the rulemaking team's lead legal advisor, Commission staff conducted no further outreach related to the burden estimate toward the public. Further, the legal advisor stated that any such outreach was unnecessary and would probably have gone unanswered because NERC entities developed the CIP-003-7 Reliability Standard, realized any related burden during the development process, and will be imposing any burden upon themselves.

On 4/19/2018, the Commission issued a Final Rule³ in Docket No. RM17-11-000. The Final Rule included the exact same burden estimate as was proposed and uncontested at the NOPR stage.

¹ <https://elibrary-backup.ferc.gov/idmws/common/OpenNat.asp?fileID=14124493>

² <https://elibrary-backup.ferc.gov/idmws/common/OpenNat.asp?fileID=14714501>

³ <https://elibrary-backup.ferc.gov/idmws/common/OpenNat.asp?fileID=14892826>