

To: NEPOOL Markets Committee (“MC”)
From: John Galloway, Technical Director – Information Services
Date: May 4, 2022
Subject: Information Policy Revisions – Cyber Security Incident Information Sharing

The ISO is requesting a vote on proposed revisions to Section 3.2 to Attachment D of the Tariff (“Information Policy”) and Section 1.2.2 of the Tariff to modify confidentiality restrictions when the ISO is reporting cyber security incidents and events to the North American Electric Reliability Corporation (“NERC”), the United States Department of Homeland Security (“DHS”) and Department of Energy (“DOE”), and other federal agencies with cyber security protection responsibility.

By way of background, the ISO is required to report cyber security incidents and events, which may include participant Confidential Information, to NERC, DHS, DOE, and other federal agencies within one hour or one day of the event to comply with CIP-008 and DOE-417 standards.

The ISO proposes to incorporate a new defined term into the Tariff and a new subsection into the Information Policy that would permit the ISO to disclose Confidential Information to cyber security agencies in the event of a cyber security incident or event involving such information without consent or prior notice to involved participants. While the short reporting deadlines make seeking prior consent or notice from a participant impracticable, in its submissions the ISO will seek confidential treatment and will provide prompt notice to participants of any such disclosures of Confidential Information. This will allow the ISO to respond quickly to cyber security incidents to comply with mandatory reporting obligations while still maintaining confidentiality and providing participants with reasonable notice related to disclosure of Confidential Information.

The proposal for the committee’s consideration at its May 10, 2022 meeting has been presented previously to the Markets Committee at the meeting dates outlined below.

- March 8, 2022, [agenda item #3](#)
- April 12, 2022, [agenda item #3](#)