Cyber Security Protection
Staff Draft Summary
1 May, 2009

Definitions

- Cyber Security Threat means the imminent danger of an act that disrupts or attempts to disrupt the operation of electronic devices or communications networks for the control of critical electric infrastructure.
- Cyber Security Vulnerability means a weakness or flaw in the design or operation of any programmable device or communication network that exposes critical electric infrastructure to a cyber security threat.

Authority of the Commission

- The Commission must promulgate rules or orders necessary to protect against cyber security vulnerabilities.
- The Commission may issue such rules without prior notice or hearing if it determines that the rule or order must be promulgated immediately to protect against a cyber security vulnerability.

Emergency Authority of the Secretary

- If immediate action is necessary to protect against a cyber security threat, the Secretary may require, by order, with or without notice, that entities subject to the jurisdiction of the Commission under this section, take such actions as are necessary to protect against that threat.
- The Secretary is encouraged to consult and coordinate with appropriate officials in Canada and Mexico.

Duration of Expedited or Emergency Rules or Orders

Rules or orders issued either by the Secretary under Emergency Authority, or the Commission under Expedited Procedures, remain effective for no more than 90 days, unless the Commission gives interested persons an opportunity to submit written comments and the Commission affirms, repeals or amends the rule or order.

Critical Electric Infrastructure Information

Critical electric infrastructure information is given the same protection as is contained in the Critical Infrastructure Information Act of 2002.