



FEDERAL ENERGY REGULATORY COMMISSION

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COMMISSION NARROWS SCOPE OF PROTECTED CEII INFORMATION; IMPROVES PROCESS

The Federal Energy Regulatory Commission today amended its regulations for accessing critical energy infrastructure information (CEII) to create a more efficient process and provide additional guidance of what material is considered CEII.

FERC Chairman Joseph T. Kelliher commented, "Today's action narrows the scope of CEII to improve public access to all information at the Commission, while continuing to ensure that sensitive information critical to energy infrastructure security is protected."

Specifically, the Commission is allowing landowners access to alignment sheets containing CEII for the limited portion of a project that would affect their land and the adjacent parcels on each side without going through the CEII process. In addition, the Commission is eliminating the non-internet public (NIP) category because much of the information currently designated as NIP is easily available on-line from other sources such as the U.S. Geological Survey or commercial mapping firms.

Furthermore, the Commission is narrowing portions of forms and reports it defines as containing CEII. These include Resource Report 13, natural gas pipeline flow diagrams, documents pertaining to the Commission's Division of Dam Safety and Inspections, documents pertaining to the Commission's Division of Hydropower Licensing, and FERC Form 715, Annual Transmission Planning and Evaluation Report.

The final rule also creates an annual certification for repeat requesters so they would not be required to file a new non-disclosure agreement (NDA) with each subsequent request.

Today's final rule, which becomes effective 30 days after publication in the *Federal Register*, reflects comments to the September 21, 2006 Notice of Proposed Rulemaking on proposed changes to the Commission CEII rules. Prior to the effective date, guidelines on filing CEII will be posted on the Commission's website, www.ferc.gov.

CEII is defined as specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure (physical or electronic) that: relates details about the production, generation, transmission, or distribution of energy; could be useful to a person planning an attack on critical infrastructure; is exempt from mandatory disclosure under the Freedom of Information Act; and gives strategic information beyond the location of the critical infrastructure.

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