

MidAmerican Energy Company's Standard Disclosure Procedure for CEII

Purpose

This procedure is MidAmerican Energy Company's standard disclosure procedure for Critical Energy Infrastructure Information (CEII) required to be disclosed in conjunction with the requirements of the Federal Energy Regulatory Commission (FERC) for regional and local transmission planning.

Definitions

"Critical infrastructure" is defined in 18 C.F.R. §388.113(c) as "existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters."

"Critical energy infrastructure information is defined in 18 C.F.R. §388.113(c) as

- "(1) Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:
 - (i) Relates details about the production, generation, transmission, or distribution of energy;
 - (ii) Could be useful to a person planning an attack on critical infrastructure;
 - (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
 - (iv) Does not simply give the general location of the critical infrastructure.
- (2) Critical Infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would affect security, economic security, public health or safety, or any combination of those matters."

MidAmerican's Initial Response to CEII Information Requests

Information that MidAmerican must make available in accordance with its local or regional transmission planning processes may contain CEII. After MidAmerican is requested to provide information in accordance with FERC regulations, MidAmerican will provide non-CEII via fax, email, or mail as MidAmerican finds most convenient and in accordance with applicable requirements. MidAmerican will notify the requester if some or all of the requested information is CEII and that the CEII has been withheld from the information transmittal that has been made in response to the information request. At this notification, MidAmerican will note that the requester may follow the process provided in the following section in requesting the CEII that has been withheld.

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Process to Request MidAmerican provide CEII information

MidAmerican has modeled its procedure for handling CEII requests on the FERC procedures contained in 18 C.F.R. §388.113. To request CEII, a signed written request must be submitted to MidAmerican containing the following information:

- Requester's name (including any other name(s) which the requester has used and the dates the requester used such name(s));
- Requester's date and place of birth (optional);
- Requester's title, address, and telephone number;
- Name, address, and phone number of the person or entity on whose behalf the information is requested;
- Description of information requested;
- A detailed statement explaining the particular need for and intended use of the information;
- A statement as to the requester's willingness to adhere to limitations on the use and disclosure of the information requested; and
- A statement indicating if the FERC's CEII Coordinator has determined it is appropriate to release CEII to the requester, the date of such determination, and the number of the FERC Docket for the determination. The requester should note if such determination is the subject of a FERC rehearing.

Once the written request is received, if it is determined by MidAmerican that the requester's date and place of birth is necessary in order to process the written request, a requester will be asked to provide that information. Once the requester provides a completed written request form and has provided his or her date and place of birth, if requested, MidAmerican will send a MidAmerican non-disclosure agreement to the requester. Once MidAmerican receives the executed non-disclosure agreement from the requester, MidAmerican will determine whether to release the CEII to the requester. MidAmerican will balance the requester's need for the information against the sensitivity of the information. If the requester is determined to be eligible to receive the information requested, MidAmerican will determine what conditions, if any, to place on the release of the information and will either provide hard copies of the information to be released through the mail or else provide electronic copies through a secure File Transfer Protocol (FTP) site or other appropriately secure means as MidAmerican finds most convenient.

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Send your request for CEII to:

Thomas Mielnik, Manager
Electric System Planning
MidAmerican Energy Company
206 East Second Street
Davenport, IA 52808

Telephone: 563-333-8129
FAX : 563-333-8112
Email: tcmielnik@midamerican.com

Disputes

If you have a dispute with regard to MidAmerican's actions regarding your request for materials, you may submit a request for dispute resolution under the Dispute Resolution Procedures provided in Attachment HH of the MISO Open Access Transmission, Energy and Operating Reserve Markets Tariff. This dispute resolution provision provides an opportunity to resolve FERC-jurisdictional disputes that might otherwise be brought before the Commission for resolution.

References

1. The FERC rules governing CEII upon which these procedures are based are at 18 C.F.R. §388.113.
2. The requirements for MidAmerican to provide information that may contain CEII as part of the Midwest ISO regional and MidAmerican local transmission planning processes are in Attachment FF of the Midwest ISO tariff at sheets 3417 and 3592K respectively. Attachment FF to the Midwest ISO tariff is at :

http://www.midwestmarket.org/publish/Document/1d44c3_11e1d03fcc5_-7cf50a48324a?rev=6