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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE INDIANA UTILITY)
REGULATORY COMMISSION'S REQUEST FOR) CAUSE NO. 44319
RESPONSES TO A SURVEY CONCERNING)
CYBERSECURITY INFORMATION, PLANNING) APPROVED:
AND PRACTICES) MAR 14 2013

ORDER OF THE COMMISSION

Presiding Officers:
Carolene Mays, Commissioner
Loraine L. Seyfried, Chief Administrative Law Judge

The Indiana Utility Regulatory Commission ("Commission") is currently scheduling meetings and conducting a survey of Indiana jurisdictional utilities and the regional transmission organizations operating in Indiana concerning cybersecurity information, planning and practices.

Every public utility is required to furnish reasonably adequate service and facilities. Ind. Code § 8-1-2-4. The Commission is authorized to conduct investigations into a utility's provision of service and to request information from utilities required to fulfill the Commission's statutory obligations. *See e.g.*, Ind. Code §§ 8-1-2-52, -54 and -58. In accordance with Ind. Code § 8-1-2-29, documents in the possession of the Commission are open to inspection by the public, subject to Ind. Code ch. 5-14-3.

Consistent with these regulatory obligations, the Commission has determined a streamlined procedure is necessary to allow for the submission of confidential information in response to the Commission's Cybersecurity Information Request.

1. Commission Jurisdiction. The Commission is required to comply with the Indiana Access to Public Records Act and is prohibited from disclosing certain confidential information. Ind. Code §§ 8-1-2-29 and 5-14-3-4. The Commission may also prescribe such regulation as it sees fit regarding the submission of confidential documents. *See* 170 IAC 1-1.1-4. The utilities participating in the meetings and responding to the Cybersecurity Information Request are utilities subject to the Commission's jurisdiction. Therefore, the Commission has jurisdiction over the parties and subject matter of this proceeding to the extent provided by law.

2. Commission Discussion and Findings. The Commission's Cybersecurity Information Request seeks information concerning the cybersecurity planning and practices of Indiana utilities. Such information is exempt from the Indiana Access to Public Records Act and entitled to confidential treatment in accordance with Ind. Code §§ 8-1-2-29 and 5-14-3-4(b)(19) because they are records that have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack if publicly disclosed.

Generally, if a party desires to file confidential information with the Commission, it must initiate a docketed proceeding and apply for a finding by the Commission that the information is confidential. 170 IAC 1-1.1-4(a). In order to avoid the filing of multiple proceedings to address

the submission of the survey responses, the Commission finds that a single docketed proceeding should be initiated to allow for the timely and efficient submission of the confidential information requested by the Commission's Cybersecurity Information Request. In addition, because the Commission's Cybersecurity Information Request is designed to elicit cybersecurity information that is exempt from public disclosure, the Commission finds a sufficient basis exists for a determination that the responses to the Cybersecurity Information Request should be held confidential on a preliminary basis.

Accordingly, all responses to the Cybersecurity Information Request shall be hand delivered to the Presiding Administrative Law Judge. The responses should be on light green paper, in a sealed envelope clearly marked confidential with the Cause Number of this Order noted thereon. The information will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Ind. Code §§ 8-1-2-29 and 5-14-3-4.

Alternatively, responses to the Cybersecurity Information Request may be submitted to the Presiding Administrative Law Judge using the Commission's Electronic Filing System. Documents submitted using the "Confidential" tab of the Electronic Filing System are delivered directly to the Presiding Administrative Law Judge, and will be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Ind. Code §§ 8-1-2-29 and 5-14-3-4.

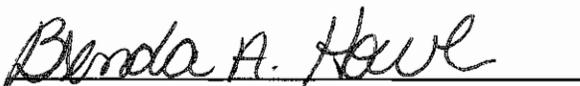
IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. All responses to the Commission's Cybersecurity Information Request are determined to be confidential on a preliminary basis and shall be filed with the Commission as set forth herein.
2. This Order shall be effective on and after the date of its approval.

ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:

APPROVED: MAR 14 2013

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



**Brenda A. Howe
Secretary to the Commission**