

# **Critical Energy Infrastructure Information Access Procedures**

## **1.0 OVERVIEW**

The Federal Energy Regulatory Commission (“FERC”) has issued regulations and orders governing its use and dissemination of, as well as the ability and authority of transmission providers to restrict the dissemination of, sensitive information including Critical Energy Infrastructure Information (“CEII”), as that term is defined by the regulations of the FERC in 18 C.F.R. § 388.113. These rules and regulations speak to the responsibility to protect public safety by taking steps to help ensure that access to CEII does not expose the infrastructure to acts of terrorism.

Pursuant to FERC orders and regulations, Georgia Transmission Corporation (“GTC”) may post or otherwise make available to transmission customers and other interested parties information that may contain or itself be CEII.

In order to continue to protect CEII from improper disclosure, GTC has developed these CEII Access Procedures for interested parties to request CEII.

## **2.0 CEII REQUESTS**

Transmission customers and individuals desiring to obtain CEII, including but not limited to base case power flow models and dynamics data, must submit a completed CEII Request Form to GTC. The completed form must identify, among other things, what information is being requested, the intended use of the requested information, the name of the requestor (and whether the individual is acting as agent for another entity) if applicable.

Individuals requesting CEII may be further required to authorize an investigation of their background to help GTC assess the individual’s eligibility to receive CEII. Before an individual authorizes a background investigation, the individual must read and acknowledge notification of their Rights under the Fair Credit Reporting Act which is contained within the Background Investigation Consent Form. Once completed, the form must be forwarded to GTC.

The completed Background Investigation Consent Form must be accompanied by the appropriate non-refundable fee for the background investigation. The fee schedule is posted on OASIS and may be revised from time to time.

Upon completion of the background investigation (if required), the following individual(s) must execute the “Georgia Transmission Corporation Non-Disclosure Agreement for Critical Energy Infrastructure Information (“NDA”):

1. an authorized signatory of the entity making the request; **AND**
2. any and all individual employees listed in Appendix A of the NDA; **AND**
3. any and all consultants of the requesting entity listed in Appendix B of the NDA,

who have a need and are expected to access any CEII provided by GTC.

Each individual executing Appendix A or Appendix B of the NDA must have undergone a background investigation (if required by GTC) prior to the NDA becoming effective for that individual.

The NDA may be submitted concurrently with the CEII Request Form and the Background Investigation Consent Form; *provided, however*, that the NDA is not effective until such time as GTC executes the NDA and so notifies the individual(s); *and further provided* that the NDA is not effective as to individual employees and/or contractors unless and until such persons have undergone a background investigation. GTC will complete the process as soon as practicable and upon receipt of completed CEII access request materials as described herein, the evaluation process may be completed within (30) business days; however, there is not a required timeframe to meet in order to thoroughly complete the evaluation process.

GTC will notify the individual(s) in writing of the evaluation results. GTC reserves the discretionary right to deny requests for CEII for any reason with or without explanation. However, to the extent consistent with maintaining the security and integrity of the evaluation process, GTC may divulge the reasons for denying a CEII request (*e.g.*, incomplete information contained on the request form).

Once an individual is authorized for access to CEII, such authorization is valid for the term of the NDA and no additional background investigations will be required for subsequent data requests throughout the term of the NDA.

GTC will make good faith efforts to label all CEII accordingly. Notwithstanding the foregoing, requestor is responsible for complying with the terms and conditions of the NDA with respect to information furnished and/or made available to the individual(s) by GTC. Material will be provided to eligible individual(s) in a format determined by GTC in its sole discretion.