

Brian T. Henebry
Partner
Direct: 203.575.2601
Fax: 203.575.2600
bhenebry@carmodylaw.com
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721

August 18, 2016

VIA HAND DELIVERY

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
ATTN: Melanie Bachman, Executive Director & Staff Counsel

Re: Docket No. 468
The Connecticut Light & Power Company, d/b/a Eversource Energy
Application for a Certificate of Environmental Compatibility and Public
Need for the Southwest Connecticut Reliability Project

Dear Ms. Bachman:

In accordance with the Siting Council's Procedures for Filing Proprietary Information Under Protective Order (Procedures), I submit with this letter the Critical Energy Infrastructure (CEII) Appendix to the above-captioned application (the Application), together with a Motion for Protective Order and the required supporting documentation.

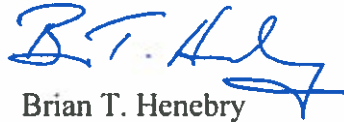
The Application includes in Volume 4 the following reports redacted to protect CEII:

- EXHIBIT 1: ISO-NE, "Southwest Connecticut Area Transmission 2022 Needs Assessment," June 2014
- EXHIBIT 2: ISO-NE, "Southwest Connecticut Area Transmission 2022 Solutions Study Report," February 2015

Connecticut Siting Council
August 18, 2016
Page 2

- a. A Motion for Protective Order and a Memorandum of Law describing the legal standards upon which the motion is based;
- b. An affidavit of Robert J. Russo stating specifically why the information should be protected;
- c. A proposed Protective Order for signature by the Chairman;
- d. A proposed Non-Disclosure Agreement for signature by requesters of the proprietary information; and
- e. A proposed Request for Information for completion by persons seeking access to the proprietary information.

Very truly yours,


Brian T. Henebry

BTH/da
Enclosures

cc: (with copies of encls. (a) – (e)): CSC Service List dated August 1, 2016

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> E-Mail	The Connecticut Light & Power Company d/b/a Eversource Energy	<p>David L. Coleman Project Manager Eversource Energy 56 Prospect Street Hartford, CT 06103 david.coleman@eversource.com</p> <p>Kathleen M. Shanley Manager-Transmission Siting-CT Eversource Energy 56 Prospect Street Hartford, CT 06103 kathleen.shanley@eversource.com</p> <p>Jeffery Cochran, Esq. Senior Counsel, Legal Department Eversource Energy 107 Selden Street Berlin, CT 06037 jeffery.cochran@eversource.com</p> <p>Brian T. Henebry, Esq. Carmody Torrance Sandak & Hennessey LLP P.O. Box 1110 Waterbury, CT 06721-1110 bhenebry@carmodylaw.com</p> <p>Farah Omokaro Transmission Siting Senior Engineer Eversource Energy 56 Prospect Street Hartford, CT 06103 Farah.omokaro@eversource.com</p>

STATE OF CONNECTICUT
SITING COUNCIL

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications

DOCKET NO. 468

August 18 , 2016

**MOTION OF EVERSOURCE ENERGY
FOR A PROTECTIVE ORDER WITH RESPECT TO THE "CEII APPENDIX"
TO THE ABOVE-CAPTIONED APPLICATION**

In accordance with the "Procedures for Filing Propriety Information under Protective Order" (Procedures) of The Connecticut Siting Council (Council), as applied to Critical Energy Information Infrastructure (CEII), the Connecticut Light and Power Company d/b/a Eversource Energy ("Eversource Energy") hereby moves that the Council enter a protective order in this docket to ensure that certain CEII provided to the Council is not subject to unrestricted, general public disclosure. Specifically, for the reasons set forth in the attached Memorandum of Law in

Support of Motion for Protective Order (the “Memorandum”), and the attached Affidavit of Robert J. Russo filed this day with the Council, Eversource Energy asks that this protective order apply to the **“CEII Appendix” to the Application in the above-captioned Docket**, which consists of full copies of the following reports, of which redacted versions have been filed in Volume 4 of the Application:

EXHIBIT 1: ISO-NE, “Southwest Connecticut Area Transmission 2022 Needs Assessment,” June 2014

EXHIBIT 2: ISO-NE, “Southwest Connecticut Area Transmission 2022 Solutions Study Report,” February 2015

and to such other CEII as Eversource Energy may be required to file in this Docket. The CEII Appendix has been filed contemporaneously with this motion in a sealed envelope.

Eversource Energy seeks to protect the CEII Appendix and such other CEII as may later be filed from unrestricted disclosure to the public because it contains detailed results of load flow analyses identifying specific weaknesses and vulnerabilities of the Connecticut transmission system.


As explained more fully in the accompanying Memorandum of Law, this information is required to be accorded confidential treatment by the policies of the Federal Energy Regulatory Commission, as stated in its Order 890, issued February 16, 2007; and by policies adopted in furtherance of that order by the Independent System Operator, New England and Eversource Energy. The information is exempt from disclosure under the Connecticut Freedom of Information Act, Conn. Gen. Stats. Sec.1-200 *et seq.*, because disclosure of the information may result in a risk of harm to a facility owned by a public service company.

Eversource Energy asks that disclosure of the Confidential Information under the protective order be limited and that parties and intervenors who are not otherwise entitled to have access to the

information who wish to review it be required to execute a CEII information request and non-disclosure agreement, the forms of which are attached to the proposed protective order filed herewith.

Respectfully submitted,

**THE CONNECTICUT LIGHT AND POWER
COMPANY d/b/a EVERSOURCE ENERGY**

By: 
Brian T. Henebry
Carmody Torrance Sandak & Hennessey LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110
Tel.: (203) 573-1200
Fax: (203) 575-2600
E-mail: bhenebry@carmodylaw.com
Its Attorneys

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

DOCKET NO. 468 - The Connecticut Light & Power Company d/b/a Eversource Energy application for a Certificate of Environmental Compatibility and Public Need for the Southwest Connecticut Reliability Project that traverses the municipalities of Bethel, Danbury, and Brookfield, which consists of (a) construction, maintenance and operation of a new 115-kV overhead electric transmission line entirely within existing Eversource right-of-way and associated facilities extending approximately 3.4 miles between Eversource's existing Plumtree Substation in the Town of Bethel to its existing Brookfield Junction in the Town of Brookfield; (b) reconfiguration of two existing 115-kV double-circuit electric transmission lines at Eversource's existing Stony Hill Substation in the Town of Brookfield; and (c) related substation modifications

DOCKET NO. 468

August 18, 2016

**APPLICANT'S MEMORANDUM IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER**

The Connecticut Light and Power Company d/b/a Eversource Energy ("Eversource Energy") hereby respectfully submits this Memorandum in support of its Motion for Protective Order (the "Motion") filed on even date herewith, seeking to protect from public disclosure certain sensitive, critical energy infrastructure information ("CEII") submitted as the CEII Appendix to the Application in this Docket.

I. BACKGROUND

The Motion filed in connection with this memorandum seeks protection for documents that contain CEII. CEII is defined by the Federal Energy Regulatory Commission (“FERC”) as:

Specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure (physical or virtual) that:

1. Relates details about the production, generation, transportation, transmission, or distribution of energy;
2. Could be useful to a person planning an attack on critical infrastructure;
3. Is exempt from mandatory disclosure under the [Federal] Freedom of Information Act; and
4. Gives strategic information beyond the location of the critical infrastructure.

18 CFR § 388.113(c)(1). In turn, “critical energy infrastructure” is defined 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.

The detailed power flow study results disclosed in the CEII Appendix relate to Connecticut’s Bulk Power Supply System. That system qualifies as “critical energy infrastructure.” These detailed results identify specific weaknesses and vulnerabilities of portions of the system. Such information could be useful to a person planning an attack on critical infrastructure because it discloses these specific weaknesses and vulnerabilities.

A. FERC Protection of CEII

As historical background, concern regarding CEII arose after the terrorist attacks of September 11, 2001. In response to that event, the FERC implemented procedures to protect information submitted to it that contained CEII. In October 2001, FERC issued a Policy Statement whereby documents containing CEII that previously had been available to the public were removed from easy access. COMM-OPINION-ORDER, 97 FERC ¶61,030, Treatment of Previously Public Documents, Docket No. PL02-1-000 (Oct. 11, 2001), 66 Fed. Reg. 52917-02

(2001). In order to accomplish this goal quickly, FERC staff identified broad categories of documents that were likely to contain CEII, and removed them from public access. The public was directed to use the Freedom of Information Act (“Federal FOIA”) request procedure to obtain the information. *Id.* Over time, FERC determined that the Federal FOIA process was not well-suited for handling CEII requests, and that in addition, some parties have legitimate needs for CEII that would be exempt from disclosure under the Federal FOIA. 68 Fed. Reg. 9857-01 (2003) (Supplementary Information to Order 630).

In response to these determinations, FERC subsequently issued a number of orders, resulting in the current version of 18 C.F.R. § 388.113(d), which sets forth detailed procedures that must be followed to obtain access to CEII. 18 C.F.R. § 388.113. Order 630, 68 Fed. Reg. 9857 (2003), as amended by Order 630-A, 68 Fed. Reg. 46460-01 (2003), Order 649, 69 Fed. Reg. 48391-01, (2004); Order 662, 70 Fed. Reg. 37036-02 (2005); Order 683, 71 Fed. Reg. 58273-01 (2006); Order 702, 72 Fed. Reg. 63985 (2007); Order 769, 77 Fed. Reg. 65477-01 (2012). These procedures include investigations as to the identity of the party requesting the information, whether the party has a legitimate or valid need for the information, whether the party poses a security risk or the request should be denied for other reasons, as well as procedures for ensuring that certain requesters sign non-disclosure agreements. *See* 18 C.F.R. § 388.113(d).

In its Order 890, ¶ 404, 72 Fed. Reg. 12266 (issued February 16, 2007) FERC made Transmission Owners such as Eversource Energy responsible for identifying CEII and developing a standard disclosure procedure to facilitate access to it by appropriate entities, which may include a non-disclosure agreement. As set forth in Part C below, Eversource Energy has complied with that directive, and has filed the Motion pursuant to that CEII policy.

B. ISO-NE protection of CEII

Significantly, following FERC's lead, ISO-New England Inc. ("ISO-NE"), the entity charged with responsibility for the planning of the New England Bulk Power Supply system, has also adopted CEII restrictions. For instance, with respect to ISO-NE's Planning Advisory Committee, planning-related materials that are determined to be CEII are posted on ISO-NE's password protected website. Governmental employees and energy industry personnel¹ seeking to obtain access to CEII material must take certain steps, as applicable, that include contacting ISO-NE's Customer Service department, signing non-disclosure agreements and complying with governing agreements, rules and protocols. For CEII filed with FERC, ISO-NE policy states that non-governmental or energy industry personnel may obtain access pursuant to the FERC CEII procedures. For CEII not filed with FERC, the requestor must comply with ISO-NE's CEII procedures, which are similar to the FERC procedures. ISO-NE FERC Electric Tariff No. 3,; Transmission, Markets, and Services Tariff, Attachment D (Information Policy), Section 2, Open Access Transmission Tariff, Attachment K, Section 2 (Planning Advisory Committee), subsection 2.4 (d) (Access to Planning Materials that Contain CEII) ((eff. Jan. 8, 2016) <http://www.iso-ne.com/participate/rules-procedures/tariff/oatt>.

Pursuant to its CEII policy, ISO-NE has redacted CEII from the public versions of the reports provided as Ex.1 , and Ex. 2 of this filing. Copies of the redacted public versions were filed as part of the application in this Docket.

C. Transmission Owners' Adoption of CEII Policies

In response to Order 890, the New England public utilities that own electric

¹Industry personnel include authorized market participants or representatives and their consultants, state and federal governmental agency employees and their consultants, Personnel of the ERO, NPCC, other regional transmission organizations or independent system operators, and transmission owners from neighboring regions. Attachment K. at Sheet No. 6237.

transmission assets, known as the New England Participating Transmission Owners (“PTOs”), adopted rules for the disclosure of CEII, which are posted on the Eversource Energy website. See, https://www.eversource.com/Content/docs/default-source/Transmission/pto_ceii_procedure.pdf?sfvrsn=0 Similar to ISO-NE’s procedures for CEII, CEII is password restricted. Upon written request to the New England PTO CEII Coordinator, passwords are issued for access to CEII after execution of a non-disclosure agreement and “upon satisfaction that the disclosure is consistent with FERC policy, FERC regulations, including CEII regulations, and any other applicable law.” In furtherance of the FERC, ISO-NE, and New England Transmission Owners’ policies, Eversource Energy has also adopted CEII guidelines that are consistent with all of the CEII disclosure procedures described above. *See Eversource Energy Service Company Guidelines for Handling CEII Materials in Siting Proceedings, September 28, 2015 (Siting CEII Policy), Exhibit A* hereto.

This policy recognizes that:

Siting proceedings in which approval for Bulk Power System elements is sought typically include requirements to demonstrate a need for the proposed facility, the advantages of the proposed facility as compared to non-transmission alternative solutions to the need, information concerning the location of the proposed and existing facilities, and information concerning the design and construction of the proposed facility. Such information may or may not constitute CEII, depending on whether it provides sufficient detail so as to be potentially useful to a person planning an attack on critical infrastructure.

Siting CEII Policy, at 3, ¶ 3.

Pursuant to its CEII policy, Eversource Energy has provided the only the redacted public versions of the ISO-NE reports in its public filing of this Application.

The Council’s CEII Policy

Recognizing the policies discussed above, the Council has adopted its Procedures for

The Protection of CEII, which are published on its website. The Procedures incorporate FERC's definition of CEII and provide for the protection Eversource Energy now seeks. Pursuant to the Procedures, the Council grants protective orders such as that sought here in appropriate cases. *See, e.g.,* Protective Orders approved in Dockets 370A, 424, and 435.

II. DISCUSSION

As is apparent from the redacted copies of the Need and Solutions reports provided in Volume 4 of the Application, and even more so from the unredacted copies for which this motion seeks protection, the material redacted from the public versions of the reports relates to details about the transmission of energy; could be useful to a person planning an attack on critical infrastructure; and does more than simply provide the general location of critical infrastructure. Moreover, consistent with the definition of CEII, the Confidential Information is exempt from mandatory disclosure under the CT FOIA.²

In particular, the Confidential Information is exempt under C.G.S. § 1-210(b)(19) of the CT FOIA, which exempts records when there are reasonable grounds to believe that its disclosure may result in a safety risk to any facility of a public service company.³

² Since the CEII definition is contained in a rule of a federal agency subject to the Federal FOIA, it refers to the Federal FOIA. However, the Siting Council, as a Connecticut State Agency, is subject to the CT FOIA.

³ Such records include, but are not limited to:

- (i) Security manuals or reports;
- (ii) Engineering and architectural drawings of government-owned or leased institutions or facilities;
- (iii) Operational specifications of security systems utilized at any government-owned or leased institution or facility, except that a general description of any such security system and the cost and quality of such system, may be disclosed;
- (iv) Training manuals prepared for government-owned or leased institutions or facilities that describe, in any manner, security procedures, emergency plans or security equipment;
- (v) Internal security audits of government-owned or leased institutions or facilities;
- (vi) Minutes or records of meetings, or portions of such minutes or records, that contain or reveal information relating to security or other records otherwise exempt from disclosure under this subdivision;
- (vii) Logs or other documents that contain information on the movement or assignment of security personnel;
- (viii) Emergency plans and emergency preparedness, response, recovery and mitigation plans, including plans provided by a person to a state agency or a local emergency management agency or official; and
- (ix) With respect to a water company, as defined in section 25-32a, that provides water service: Vulnerability assessments and risk management plans, operational plans, portions of water supply plans submitted pursuant to section 25-32d that contain or reveal information the disclosure of which may result in a security risk to a water

The CEII Appendix to the Application, submitted herewith, contains CEII, the disclosure of which may result in a significant safety risk for the general public and Eversource Energy's facilities. Maintaining security for such sensitive information is the goal of the detailed CEII protections established by FERC, ISO-NE, the New England PTOs and Eversource Energy, and recognized in the Connecticut FOIA. Eversource Energy respectfully requests that the Council grant its request for a Protective Order with respect to this information.

Respectfully submitted,

**THE CONNECTICUT LIGHT AND POWER
COMPANY d/b/a EVERSOURCE ENERGY**

By: 

Brian T. Henebry
Carmody Torrance Sandak & Hennessey LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110
Tel.: (203) 573-1200
Fax: (203) 575-2600
E-mail: bhenebry@carmodylaw.com
Its Attorneys

company, inspection reports, technical specifications and other materials that depict or specifically describe critical water company operating facilities, collection and distribution systems or sources of supply." C.G.S. §1-210(b)(19).

09/28/2015
Form Approval Date

09/28/2015
Form Effective Date

Eversource Energy Service Company Guidelines for
Handling CEI Materials in Siting Proceedings

Status and Purpose of this Document

The New England Participating Transmission Owners (PTO) have adopted a "Procedure for Disclosure of Critical Energy Infrastructure Information (CEII)" ("Procedure"), posted on the Eversource website at https://www.eversource.com/Content/docs/default-source/Transmission/pto_ceii_procedure.pdf?sfvrsn=0. This document is intended to provide specific guidance for the handling of CEII in siting proceedings, consistent with the Procedure, and consistent with Order 890 of the Federal Energy Regulatory Commission. Upon adoption by the New England Participating Transmission Owners of any revision of the existing Procedure, this document may be revised to conform to any such revisions.

In addition to the PTO procedure, the PTO Administrative Committee (PTO-AC) has developed guidelines for the handling of CEII, which supplies specific examples and suggestions for CEII protection. This procedure, "PTO-AC Guidelines for Handling CEII Materials and CEII Requests," is available through the ISO-NE website.

1. INTRODUCTION

This guideline is intended to provide guidance to all affiliates of Eversource Energy Service Company (Eversource) with respect to the classification and disclosure of CEII materials in the context of transmission infrastructure siting proceedings, including disclosures that precede the filing of an application but are related to the application process.

This document will:

- Assist personnel who prepare and file siting applications and related materials in determining the kinds of internal information that qualify as CEII
- Provide guidance on properly labeling such information
- Provide for the entry of a CEII Protective Order in a siting proceeding, to expedite the sharing of CEII with a siting agency, its staff, parties and intervenors.

2. DEFINITIONS

CEII

FERC defines CEII as "specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure (physical or electronic) that: (1) relates details about the production, generation, transmission, or distribution of energy; (2) could be useful to a person planning an attack on critical infrastructure; (3) is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552 (2000); and (4) gives strategic information beyond the location of the critical infrastructure."¹

Critical Infrastructure

NERC defines Critical Infrastructure as "the Systems and Assets, whether physical or virtual, that are so vital to the United States that the incapacity or destruction of such systems or assets would have a debilitating impact on the security, national economic security, national public health or safety, or any combination of those matters."² Systems, as defined in this guideline, refer to discrete protection, control, and communication systems.

¹ FERC 18 CFR Part 388 (Docket No. RM06-24-000; Order No. 683) – Critical Energy Infrastructure Information (Issued September 21, 2006)

² NERC Glossary of Terms Used in Reliability Standards (4/20/2009)

Critical Assets

In addition, NERC identifies Critical Assets as "Facilities, systems, and equipment which, if destroyed, degraded, or otherwise rendered unavailable, would affect the reliability or operability of the Bulk Electric System."³

*Examples:*⁴

- Function and physical location,
- Black start facilities,
- Extra high voltage (>230 kV) stations,
- Locations and responsibilities of control and operating entities, and
- Details of critical computer systems (e.g., operational systems such as Energy Management Systems (EMS), Supervisory Control and Data Acquisition (SCADA), digital control systems, their names and function, CAD/CAM facilities, network configuration and firewall schemes).

3. INFORMATION IN SITING FILINGS LIKELY TO QUALIFY AS CEII

CEII "does not include information that is otherwise publicly available. Simplified maps and general information on engineering, vulnerability, or design that relate to production, generation, transportation, transmission or distribution of energy shall not constitute CEII."⁵

Certain elements of the Bulk Power System qualify as "Critical Infrastructure." Siting proceedings in which approval for Bulk Power System elements is sought typically include requirements to demonstrate a need for the proposed facility, the advantages of the proposed facility as compared to non-transmission alternative solutions to the need, information concerning the location of the proposed and existing facilities, and information concerning the design and construction of the proposed facility. Such information may or may not constitute CEII, depending on whether it provides sufficient detail so as to be potentially useful "to a person planning an attack on critical infrastructure."

4. SPECIFIC EXAMPLES

The following examples illustrate how materials will or will not qualify as CEII, depending on their level of detail:

4.1 Maps/Diagrams

CEII Treatment Required:

- Northeast 345kV system diagram (includes bus detail)
- Diagrams/maps submitted as part of the modeling info (assumes level of detail is such that it can be utilized for modeling purposes, but not known contingencies that would aid modeling of system problems)
- New England Regional System Plan (RSP) – RSP06 Northern and Southern Area Maps
- ISO-NE Detailed Price Node (PNode) diagram:
 - Detailed diagram (marked as CEII because it contains detail of each substation with breaker, transformer, bus conditions, and generator location)

³ NERC Glossary of Terms Used in Reliability Standards (4/20/2009)

⁴ NERC Security Guidelines for the Electricity Sector, "Protecting Potentially Sensitive Information," version 1.0 (June 14, 2002)

⁵ ISO-NE FERC Electric Tariff No. 3, Open Access Transmission Tariff, Section H – Attachment K – Regional System Planning Process, Sheet NO. 6237 9eff. Dec. 7, 2007)

CEII Treatment Not Required

Maps/diagrams that can be made public include:

- New England one-line diagram (no detail that requires protection)
- New England geographic and/or Geographic Transmission Map including topological transmission maps (not enough detail)
 - Exception for maps with generator type indicated (such as nuclear in the above list)
- ISO-NE General PNode diagram
- Versions of PNode diagrams without bus / breaker /transformer detail listed (similar to a basic one-line diagram)

4.2 Reports, data, etc.

CEII Treatment Required

- Load Power Factor Studies and Audit Results
- Sections 2, 3 and 6 of Form 715
- Portions of Capacity, Energy, Loads, and Transmission (CELT) report that include technical detail as noted above
- Detailed System disturbance/event follow-up/Blackout report (describes vulnerability)
- Market/Reliability event related to a system disturbance (describes vulnerability)
- Annual Maintenance Schedule (can be used to derive vulnerability as it incorporates forecast of capacity shortcoming)
- Transmission Maintenance Schedule (can be used to derive vulnerability)
- Reliability Agreement info (e.g., Southwest CT Gap info – depicts needs)
- Study analysis (depicts needs or vulnerability):
 - Maine Power Reliability Program (MPRP)
 - Southeastern Massachusetts Reliability Region (SEMA)
 - Millstone Severe Line Outage Detector (SLOD) Special Protection System (SPS) Stability Report
- Data/info submittals (detailed engineering data):
 - NX-9
 - NX-11Th
 - I.3.9

CEII Treatment Not Required:

- Generic Interface Constraints spreadsheet
- Claimed Capability Report (lacks detail)
- Installed Capacity Requirement (ICR) report
- Financial Transmission Rights (FTR) related reports
- Contingency definitions spreadsheet (detailed, yet may lack value unless coupled with results – case by case basis)
- Line and ZBR Definitions spreadsheet (detailed, yet may lack value unless coupled with results – case by case basis)
- Monthly Interface Limits spreadsheet (only depicts limits with no detail)

5. DOCUMENT CONTROL

To the extent practicable, CEII in siting filings should be aggregated in discrete documents or volumes in which it is not intermixed with non-CEII materials. Such documents or volumes shall bear a legend on the cover and in a header on every page: "*Confidential Critical Energy Infrastructure Information (CEII) Subject to Protective Order and/or Non Disclosure Agreement. Do Not Copy or Provide to Unauthorized Persons.*"

When CEII is intermixed with other materials, it must be securely redacted, and the redaction must be accompanied by a notation: "*Confidential CEII.*" Each volume or document that contains such redactions shall include a prominent explanatory legend: "*This document contains Critical Energy Infrastructure Information (CEII) which has been redacted.*"

The redacted information is or will be available to parties and intervenors in the administrative proceeding in which this document has been or will be filed, pursuant to a Protective Order or the CEII Coordinator. In either case the Recipient will be required to execute a Non-Disclosure Agreement.

Both physical and electronic copies of information must be segregated, labeled, and redacted as described above.

The Eversource affiliate applying for siting approval shall make every effort to obtain a Protective Order. The Non Disclosure Agreement to be executed pursuant to that protective order shall be substantially in the form in M3-RC-2201.2, "Eversource Energy Service Company CEII Non-Disclosure Agreement" and M3-RC-2201.3, "Eversource Energy Service Company CEII Identity Verification Form."

STATE OF CONNECTICUT
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DOCKET NO. 468

August 9, 2016

AFFIDAVIT OF ROBERT J. RUSSO

STATE OF CONNECTICUT)
) ss: Hartford August 9, 2016
COUNTY OF HARTFORD)

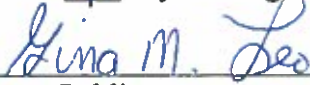
Robert J. Russo, being duly sworn, states:

1. I am Manager, Transmission Planning, Connecticut Projects for Eversource Energy Service Company, which provides transmission planning services to The Connecticut Light and Power Company d/b/a Eversource Energy.

5. The CEII Appendix provides detailed information concerning weaknesses and vulnerabilities in the Connecticut transmission system, the disclosure of which may result in a risk of harm to facilities owned by a public service company.


Robert J. Russo

Subscribed and sworn to before
me this 9 day of August, 2016


Notary Public
My Commission Expires:

GINA M. LEO
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 28, 2021



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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DOCKET NO. 468

August 18, 2016

**PROTECTIVE ORDER RE:
CRITICAL ENERGY INFRASTRUCTURE INFORMATION**

On August 18, 2016, The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource Energy) filed in the above-captioned Docket, a volume of documents entitled "**CEII Appendix**," consisting of:

EXHIBIT 1: ISO-NE, "Southwest Connecticut Area Transmission 2022 Needs Assessment," June 2014

EXHIBIT 2: ISO-NE, "Southwest Connecticut Area Transmission 2022 Solutions Study Report," February 2015

Eversource Energy asserts that the CEII Appendix contains sensitive critical energy infrastructure information (“CEII”), and has requested that a protective scheme be implemented for this data and for such other CEII as Eversource Energy may be required to file in this Docket. Consistent with ISO New England, Inc. (“ISO-NE”) and the Federal Energy Regulatory Commission (“FERC”), Eversource Energy defines CEII as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (1) relates details about the production, generation, transportation, transmission or distribution of energy; (2) could be useful to a person in planning an attack on critical infrastructure; (3) is exempt from mandatory disclosure under the federal Freedom of Information Act, 5 U.S.C. § 522 (2000); and (4) does not simply give the general location of the critical infrastructure.”

Eversource Energy maintains that protecting such critical energy infrastructure information from disclosure is required by security policies of FERC and ISO-NE, and by its own security policy; that its release would be damaging to Applicants’ interests and the public interest, including security interests; and that such information is exempt from disclosure under the state Freedom of Information Act pursuant to section 1-210(b)(19) of the General Statutes.

Accordingly, it is

ORDERED

1. Until this Order is modified, access to the CEII Appendix shall be limited as described in Paragraph 4 below.
2. That the CEII Appendix and such information designated as CEII as Eversource Energy shall hereafter file in this Docket shall, unless removed from the coverage of this Order as provided in Paragraph 3 below, be and remain confidential. CEII shall not be disclosed for any purpose other than the purposes of this proceeding, and then solely in accordance with this Order. No person to whom access to CEII is accorded pursuant to Paragraph 4 of this Order shall disclose or reveal, directly or indirectly, the content of the CEII to others, except as provided in Paragraph 4.
3. That the parties and intervenors to whom CEII is furnished may challenge designation of any documents or other information as confidential by motion to the Council and upon reasonable prior notice to the parties and an opportunity for hearing. Upon the entry of an order granting such a motion, the provisions and restrictions of this Order shall cease to bind any party or other person with respect to the documents or information that the Order granting the motion shall have expressly and clearly removed from the coverage of this Order.
4. That, until this Order is modified, access to CEII filed in this proceeding shall be limited to: (i) registered employees of a Governance or Market Participant as defined in the ISO-NE Open Access Transmission Tariff; (ii) an employee of an Independent System Operator (“ISO”) or Regional Transmission Organization (“RTO”); (iii) a state agency employee, including Commissioners and staff of the Council; (iv) other state and local officials; (v) federal agencies and their staff; (vi) an employee of an electric reliability organization or regional entity; (vii) an employee of a Transmission Owner; (viii) parties and intervenors in this proceeding, and their counsel; (ix) a consultant engaged for the purpose of this proceeding for one of the foregoing persons or entities; and (x) a stenographer or reporter recording any hearing in connection with this proceeding as part of the official record of the proceeding.

Any such recipient of CEII shall agree to use the CEII solely for the purposes of this proceeding and not disclose the information to any other person. Each person within an entity or organization, except for: an employee of ISO-NE or another independent system operator or regional transmission organization in North America; an employee of a Transmission Owner; a state agency official or employee; a federal agency official or employee an employee of the Electricity Reliability Organization; state officials and state agency staff employees, who are provided with access to the CEII must complete a CEII Request From and Non-Disclosure Agreement, similar to the forms attached.

5. That no copies of CEII furnished by Eversource Energy shall be circulated to persons other than those persons who are authorized under Paragraph 4 of this Order to obtain CEII. Documents offered in evidence may be copied as necessary for that purpose.

Persons authorized under Paragraph 4 hereof also may take such notes as may be necessary solely for the purposes of this proceeding. Those notes shall also be treated as CEII. Although a person authorized to obtain CEII may use the information as foundation for advice to his or her employer or clients, s/he may only discuss the CEII with or disclose CEII to another person authorized to receive identical CEII.

6. All materials claimed by Eversource Energy to be CEII under the terms of this Order shall be clearly marked "CEII," and shall bear an appropriate legend identifying them as such. When CEII is intermixed with other materials, it must be securely redacted, and the redaction must be accompanied by a notation: "*Confidential CEII.*" Each volume or document that contains such redactions shall include a prominent explanatory legend: Faxed materials should be marked as any other confidential document. With regard to other media, diskettes should be marked "Confidential CEII" on the outside and each file on the diskette should be similarly identified. Materials produced electronically shall be marked "confidential" and access to electronically-produced confidential materials shall be limited accordingly to the terms and limitations provided in this Order. Any person or party subject to the terms of this Order who receives unmarked documents or materials which s/he believes Applicant intended to be protected by the terms of this Order, and that would have been protected if marked in accordance with this paragraph, shall make a good faith effort to notify Eversource Energy of this fact and to avoid use of such documents or materials in a manner inconsistent with protection of such material under this Order.
7. That the restrictions upon, and obligations accruing to, persons who become subject to this Order shall not apply to any CEII submitted in accordance with Paragraph 1 of this Order if the Council rules, after reasonable notice and hearing, that the CEII was publicly known at the time it was furnished or has since become publicly known through no fault of the receiving party.
8. That where reference to CEII is required in pleadings, briefs, other legal documents, or argument, the reference shall be by citation of title or exhibit number only or by some other non-confidential description to the extent possible. In those circumstances, counsel shall make every reasonable effort to preserve the confidentiality of material in the sealed record. If counsel shall include CEII in pleadings, briefs, other legal documents, or arguments, that portion of the documents or that portion of the transcript of the argument containing CEII shall be maintained under seal.
9. That the Council may draw upon all CEII in the record in the deliberation of any decision or order that it may issue, but will avoid the reproduction in its decision of any CEII.
10. That should any appeal of, or other challenge to, the Council's decision in this proceeding be taken, any portions of the record that have been sealed in accordance with Paragraph 6 above shall be forwarded to the courts of this State or other court having subject matter jurisdiction, in accordance with applicable law and procedures, under such protective order as may be entered by the court.

11. That CEII made available pursuant to this Order and made part of the record in any proceeding before the Council shall remain in the possession of the Council, under seal, and subject to the protective requirements of this Order, until this Council shall otherwise order.
13. That this Order may be modified on motion of any party or on the Council's own motion upon reasonable prior notice to the parties and an opportunity for hearing.
14. Copies of CEII and documents, notes and other materials containing or reflecting, directly or indirectly, the CEII, that are in possession of the Council's commissioners, counsel or employees may be retained by those persons for the purpose of performing those persons' duties and obligations. If retained, the CEII shall be subject to this Protective Order or to a protective order issued in another proceeding in which the CEII is used. If such a member, counsel or employee of the Commission does not retain the CEII, that person shall destroy it as provided in this paragraph. When the Council determines that any CEII is no longer required for its work, it shall destroy the material. All parties and intervenors to whom CEII has been made available in the proceeding, their counsel and retained experts, shall destroy all documents, notes and other materials containing or reflecting, directly or indirectly, the CEII. Audio, video or other such magnetically recorded materials shall be electronically erased before disposal. Paper documents shall be shredded.

SO ORDERED:

CONNECTICUT SITING COUNCIL

By: _____
Robert Stein
Chairman

Dated: _____, 2016

CEII Request Form

SECTION I

CRITICAL ENERGY INFRASTRUCTURE INFORMATION (“CEII”) REQUEST FORM PURSUANT TO PROTECTIVE ORDER

1. This form must be accompanied by an original signed Non-Disclosure Agreement or a Subscription to a Protective Order entered in an administrative proceeding, if you are a party or intervenor in an administrative proceeding and are not employed by the Independent System Operator, New England (ISO-NE) or a federal or state agency. If you have already signed a CEII Non-Disclosure Agreement, please provide the date: _____

2. The undersigned requests the following information:

Connecticut Siting Council Dkt. 468, CEII Appendix to Application

Any additional material to be filed in this Docket for which CEII status is claimed by the Applicant.

3. The undersigned is:
 - a party or intervenor in the proceeding identified in paragraph 3, having been admitted as such on _____.
 - an employee of ISO-NE or another independent system operator or regional transmission organization in North America
 - a state agency employee
 - a federal agency employee
 - an employee of the electricity reliability organization or regional entity
 - an employee of a transmission owner in another control area
 - a consultant of one of the entities listed above who has been retained to provide advice regarding the matter described in no. 5 below

4. Give the name of your employer and your title: _____

5. The undersigned represents warrants and agrees that the information is to be used solely for the following purpose [describe in detail]: _____

6. If you are a consultant, provide the name and contact information of an individual at the organization that has retained you so that we may verify your role: _____

I acknowledge that the foregoing is true and accurate, and agree to give Eversource Energy immediate notice if any of the foregoing is no longer true. I also consent to Eversource Energy and its affiliated companies sharing the fact that this request has been made and/or granted, and agree that Eversource Energy and its parent and affiliated companies shall have no liability to me in connection with this request.

Signature: _____ Name (please print): _____

Organization: _____ Business Address: _____

Email: _____ Phone: _____

Fax: _____ Date: _____

SECTION II

**NON-DISCLOSURE AGREEMENT AND
AGREEMENT TO BE BOUND BY THE
TERMS OF THE PROTECTIVE ORDER**

The undersigned hereby acknowledges review of the Protective Order filed on _____, 2016, _____ in Docket No. 468 before the Connecticut Siting Council, and hereby agrees to abide by the terms thereof, in exchange for receipt of

Connecticut Siting Council Dkt. 468, CEII Appendix to Application

Any additional material to be filed in this Docket for which CEII status is claimed by the Applicant.

Recipient: _____

Date: _____