

Ladies & Gentlemen;

The Irrigation & Electrical Districts Association of Arizona (IEDA) is pleased to present the following comments in response to your Federal Register Notice.

IEDA is an Arizona nonprofit association whose 25 members and associate public entity members receive water from the Colorado River directly or through the facilities of the Central Arizona Project (CAP) and purchase hydropower from federal facilities on the Colorado River either directly from Western or, in the case of the Boulder Canyon Project, from the Arizona Power Authority, the state agency that markets Arizona's share of power from Hoover Dam. IEDA was founded in 1962 and continues in its 51st year to represent water and power interests of Arizona political subdivisions and other public power providers and their consumers.

We have reviewed the comments submitted in response to your Notice by the Electrical Trade Associations and support those comments; we will not repeat them.

Rather, we would like to focus on the initial portion of your request related to the section about Current Risk Management Practices.

Government entities, both federal and state, have become a problem associated with their status concerning management and protection of information.

As the Electrical Trade Associations have explained to you, there are mandatory requirements in the electric utility sector that are in place and are in the process of being modified. We think that many of the suggestions you make as a result of this inquiry, at least as to the electric utility sector, and the nuclear power sector, the only two such sectors with mandatory requirements, need to be compatible with those pre-existing mandatory requirements.

Our specific issue that caused us to comment relates to the protection of information from inquiries under the Freedom of Information Act (FOIA) and state public records laws. This is the singular void in the general effort to address cyber security and cyber attack issues. Various state public records laws address some, but generally not all, of the necessary protections to allow state agencies and political subdivisions to protect information everyone else assumes can be protected. Additionally, the waiver provision of FOIA can be especially troubling when communications need to be made between the federal agency and a non-federal entity.

We think it would be helpful if you focus some of your attention on this particular problem and make further inquiry about it. This is a subject that has been addressed by NERC's Legal Advisory Committee and, specifically as to FOIA, the Bonneville Power Administration and its General Counsel's office.

If you do choose to look further into this issue, we would be pleased to provide you any additional information or assistance that you deem helpful.

Thank you for the opportunity to comment on your effort to develop a framework to improve critical infrastructure cyber security.

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