

In the Matter of a Working Case to )  
Address Security Practices for Protecting ) **File No. AW-2015-0206**  
Essential Utility Infrastructure )

**COMES NOW** Missouri-American Water Company (“MAWC”), by and through the undersigned counsel, and hereby files the following Comments to Staff’s Follow-Up Report.

2. The Commission then issued its Order Requesting Responses to Staff's Follow-Up Report directing any interested stakeholder wanting to file comments on the Follow-Up Report to do so by November 1, 2019. MAWC's filing of Comments complies with the Commission's Order.

- 1) Require each Missouri utility to identify, provide, and actively update contact information for both cyber and physical security points of

contact. Points of contact should be personnel actively engaged with both cyber and physical security issues and not a member of the utilities' counsel or involved with regulatory liaison activities.

**Response: MAWC agrees with this recommendation.**

2) Require formal disclosure of plans specifically related to emergency response.

**Response: In its previous response filed in this docket on July 7, 2017, MAWC stated the development of robust controls is paramount to protecting utility information that is deemed sensitive and held by a public utility commission. A state program could be modeled off a federal level program like the Protected Critical Infrastructure Information (PCII) Act.**

**Under such a program, the Commission would submit a request for information to the regulated utility. If the regulated utility consents to sharing the information, the utility would send the information to the PCII Program Office at the Department of Homeland Security (DHS) to be certified as protected critical infrastructure information (PCII). The information would then be sent to the Commission. Certification by DHS exempts the certified information from disclosure under federal, state and local laws as**

well as during civil litigation, by the Critical Infrastructure Information Act of 2002.

To use the PCII program, the state or the Commission itself, would need to be accredited. Further, Commission employees that would be handling PCII would be required to complete PCII training. PCII accreditation also requires handling and storage of PCII in accordance with the PCII Program's requirements.

3) Require periodic Commission briefings on current security posture and related activities.

**Response: MAWC agrees with this recommendation.**

4) Require timely informal disclosure of both cyber and physical security incidents and any related response(s) and effect(s).

**Response: MAWC agrees with this recommendation.**

5) Specifically address supply chain risk management during periodic Commission briefings.

**Response: MAWC believes this recommendation is very broad and requires further clarification. While MAWC is generally not opposed to discussing such issue generally, the recommendation as currently written is very broad and would encompass a number of different topics with varying levels of sensitivity. With further clarification of the specific information Staff would like included in**

**Commission briefings, MAWC could consider this recommendation further and provide a more specific response on whether such action is necessary and practical.**

6) Investigate CI information storage within the Department of Public Safety (DPS), State Emergency Management Agency (SEMA), or the Missouri Information and Analysis Center (MIAC).

**Response: MAWC agrees with this recommendation.**

7) Monitor governmental and industry efforts to develop cyber security reporting metrics. Implement a reporting mechanism for such metrics should the development efforts produce useful results.

**Response: MAWC believes this recommendation is very broad and requires further clarification. While MAWC is generally not opposed to such issue generally, the recommendation as currently written is very broad and would encompass a number of different topics at just as many separate entities. The reporting mechanism may also require information with varying levels of sensitivity. With further clarification of the specific metric development Staff would like MAWC to monitor and possibly report on, MAWC could consider this recommendation further and provide a more specific response on whether such action is necessary and practical.**

#### Emergency Communications:

8) Transition cellular communication accounts to FirstNet for those areas that participate in emergency response and/or other emergency and safety related activities.

**Response: MAWC agrees with this recommendation.**

9) Commissioners and select Staff members individually investigate transitioning personal phones used for communications during security related activities to FirstNet if prioritized emergency communications is warranted.

**Response: MAWC agrees with this recommendation. FirstNet offers talk groups (2/way), where necessary utility personnel can collaborate with other utilities and emergency responders during a regional incident.**

#### Information Sharing:

10) Encourage utilities to actively participate in the Intelligence Liaison Officer (ILO) program to receive pertinent threat information and provide information on suspicious activities that they may encounter in conducting everyday operations.

**Response: MAWC agrees with this recommendation.**

11) Proactively inform Missouri utilities about the Sensitive Compartmented Information Facility (SCIF) capabilities at the MIAC and the

timing of any classified briefings that are taking place for cleared personnel.

**Response: MAWC agrees with this recommendation.**

12) Actively participate in the organization and development of a Utility Information Exchange Group and encourage all Missouri utilities to participate.

**Response: MAWC agrees with this recommendation.**

13) Actively participate in the improvement of information sharing between the public and private sectors by encouraging the involvement of investor-owned utilities, cooperative utilities, and municipal utilities where possible.

**Response: MAWC proposes this recommendation be modified to include the underlined language: “Actively participate in the improvement of information sharing between the public and private sectors by encouraging the involvement of investor-owned utilities, cooperative utilities, and municipal utilities where possible through participation in utility sector Information Sharing and Analysis Centers.” MAWC participates in the Water ISAC.**

Organization Development:

14) Partner with SEMA and develop a proposal to expand the types of volunteers involved with the Missouri Structural Assessment and Visual Evaluation (SAVE) Coalition as well as the types of evaluations that could be

carried out by such members with a focus on structures associated with critical infrastructure and volunteers with knowledge of such structures.

**Response: MAWC agrees with this recommendation.**

15) Investigate the activities and partnerships necessary to create a Civilian Cyber Corps volunteer organization possibly in connection with the SAVE Coalition.

**Response: MAWC agrees with this recommendation.**

Mapping:

16) While Staff has no specific recommendations on adoption at this time, the use of Geographic Information System (GIS) technology does allow for ease of maintenance and production of maps and mapping services such as the identification and publication of certificated areas granted through the Certificate of Convenience and Necessity (CCN) process.

**Response: MAWC agrees with this recommendation.**

17) Periodical review, by the Commission, of software options concerning GIS mapping technology.

**Response: MAWC agrees with this recommendation.**

Preparedness and Exercises:

18) Continue to actively participate in upcoming statewide emergency response exercises and when possible, participate in other local, regional, national drills and exercises.

**Response: MAWC agrees with this recommendation.**

19) Train at least three Staff members on the emergency response Incident Command System Operations to the minimum level of ISC-400.

**Response: MAWC agrees with this recommendation.**

20) Periodically update Commission General Procedures GP-7 and GP-7.5, as necessary.

**Response: MAWC agrees with this recommendation.**

Resource Availability:

21) Encourage all utility owners and operators to engage the Department of Homeland Security (DHS) and the Missouri National Guard Cyber Team and leverage their respective resources.

**Response: MAWC agrees with this recommendation.**

**WHEREFORE**, Missouri-American Water Company submits its Comments to Staff's Follow-Up Report for the Commission's information and consideration.

Respectfully submitted,

**BRYDON, SWEARENGEN &  
ENGLAND P.C.**

/s/ Dean L. Cooper

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ATTORNEYS FOR MISSOURI-  
AMERICAN WATER COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been transmitted by electronic mail to all counsel and parties of record on this 1<sup>st</sup> day of November 2019.

**/s/ Dean L. Cooper**