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STATE OF MISSOURI

PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS

On-The-Record Proceeding

November 26, 2012

Jefferson City, Missouri

Volume 1

(Starting time of proceeding: 10:02 a.m.)

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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6 TRANSCRIPT OF PROCEEDINGS
7 On-The-Record Proceeding
November 26, 2012
8 Jefferson City, Missouri
Volume 1

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12 In The Matter Of a Working)
Docket To Address Effective)
13 Cybersecurity Practices For) File No. EW-2013-0011
Protecting Essential Electric)
14 Utility Infrastructure)
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HAROLD STEARLEY, Presiding
18 DEPUTY CHIEF REGULATORY LAW JUDGE
TERRY M. JARRETT, Commissioner
19 STEPHEN M. STOLL, Commissioner
20

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1 P R O C E E D I N G S

2 JUDGE STEARLEY: Good morning. Today's
3 Monday November 26th, 2012. Commission has set this time
4 for an On-The-Record Proceeding in File No. EW-2013-0011,
5 which is captioned as In The Matter Of A Working Docket To
6 Address Effective Cybersecurity Practices For Protecting
7 Essential Electric Utility Infrastructure.

8 My name is Harold Stearley, and I'm the
9 presiding officer over today's hearing, and we will begin
10 by taking entries of appearance from counsel. Starting
11 with Union Electric Company.

12 Q Good morning. Wendy Tatro, 1901
13 Chouteau Avenue, St. Louis, Missouri, appearing on behalf
14 of Ameren Missouri. For the record, I have with me today
15 Dan Cole, President and CEO of Ameren Services, Mary
16 Hager, Vice-President of Ameren Services Center and
17 Information Technology, Tom Rice, Director of
18 Cybersecurity and Technology Planning at Ameren Services,
19 and Chris Saywald, Managing Supervisor of Cybersecurity at
20 Ameren Services.

21 JUDGE STEARLEY: All right. Thank you, Ms.
22 Tatro.

23 Would Kansas City Power and Light and
24 Greater Missouri Operations Company enter their
25 appearance?

1 MR. FISCHER: Yes, Judge. Let the record
2 reflect the appearance of James M. Fischer, Fischer and
3 Dority, P.C. Our address is 101 Madison Street, Suite
4 400, Jefferson City, Missouri, 65101, appearing today on
5 behalf of both Kansas City Power & Light Company and KCPL
6 Greater Operations Company.

7 Like Ameren Missouri, we have several
8 technical persons here that can address the Commissioner's
9 questions or the Judge's questions. Scott Harris,
10 Information Security and Compliance Manager for the
11 Company, Jennifer Flander Meyer, Senior Manager Operations
12 Compliance with Kansas City Power & Light Company, and
13 John Breckenridge, the Senior Manager of Corporate
14 Security for Kansas City Power & Light Company. I also
15 have with me Darrin Ives and Denise Buffington with the
16 Company.

17 JUDGE STEARLEY: All right. Thank you, Mr.
18 Fischer.

19 For the Empire District Electric Company?

20 MR. COOPER: Thank you, your Honor. Dean
21 Cooper appearing on behalf of the Empire District Electric
22 Company. The Court Reporter has an address on our entry
23 of appearance.

24 With me today are Michael Palmer, Vice-
25 President of Transmission Policy and Corporate Services;

1 Ralph F. Meyer, manager of Reliability Compliance; Ivan
2 Johnson, Manager of Systems and Database Administrators;
3 and Kalen Long, the Liability Compliance Specialist.

4 JUDGE STEARLEY: All right. Thank you very
5 much, Mr. Cooper.

6 For the Office of the Public Counsel?

7 MR. MILLS: On behalf of the Office of the
8 Public Counsel and the Public, my name is Lewis Mills. My
9 address is P.O. Box 2230, Jefferson City, Missouri, 65101.

10 JUDGE STEARLEY: Thank you, Mr. Mills.

11 And for the Staff of the Missouri Public
12 Service Commission?

13 MS. HERNANDEZ: Good morning. Jennifer
14 Hernandez appearing for the Staff of the Missouri Public
15 Service Commission. Our address is P.O. Box 360,
16 Jefferson City, Missouri, 65102.

17 JUDGE STEARLEY: Okay. Thank you, Ms.
18 Hernandez.

19 Let the record reflect that ITC Midwest,
20 LLC, and Intergy Arkansas, Incorporated, have been excused
21 from today's proceedings.

22 Before I go into any preliminary matters, I
23 believe Commissioner Jarrett would like to make an opening
24 statement.

25 COMMISSIONER JARRETT: Yes. Thank you,

1 Judge Stearley.

2 First of all, I think it's really
3 appropriate and kind of ironic that we're having this On-
4 The-Record hearing on Cyber Monday which is, of course,
5 the biggest Internet shopping day of the year. Really
6 kinds of brings to focus the whole cybersecurity issue.

7 First of all, I would like to thank
8 Chairman Gunn and the other Commissioners. I am Chairman
9 of the NARUC Committee on Critical Infrastructure, so
10 cybersecurity has been a focal point for me for the past
11 couple of years as I do my committee work in NARUC. And
12 they have graciously supported me in that, and also
13 supported opening this workshop so that we could explore
14 cybersecurity issues with the utilities that we regulate.
15 Our goal here is not to have a response to cyber threat
16 that is piecemeal, reactive, or fragmented. These
17 planning questions which you filed answers to in this
18 docket aim to encourage proactive and strategic action on
19 the part of the utilities rather than a patchwork
20 response.

21 And I particularly want to thank Ameren
22 Missouri, KCP&L, GMO and Empire both, for providing
23 written responses in this docket and also for appearing
24 here today to give us presentations and answer questions
25 on -- generally on your cyber programs.

1 And if you don't think cybersecurity is
2 important, you only need to look at some of the recent
3 headlines in the news. For example, Chinese Hackers
4 Blamed for Events of Televents Scata Related (ph), from
5 Power-Mag.com, December 27, 2012; Iranian Against U.S.
6 Banks and Foreign -- Wall Street Journal, 2012; Israel
7 Commits Cyberattacks Throughout Gaza, abcnews.go.com,
8 November 29, 2012; and U.S. Transportation Command Defends
9 from Thousands of Cyberattacks, the Albany Tribune from
10 yesterday, November 25, 2012. So, this is a very timely
11 topic. Thank you for being here to discuss these very
12 important issues.

13 JUDGE STEARLEY: All right. Mr. Stoll, did
14 you have any comments you wanted to make?

15 COMMISSIONER STOLL: Just briefly. Thank
16 you. As Commissioner Jarrett said, this is an extremely
17 important topic. In addition to those instances that he
18 mentioned, they hacked into the Department of Revenue in
19 South Carolina and stole hundreds of thousands of records.
20 And, so, this is very -- a very important issue, and I'm
21 pleased to see everyone here today. Thank you for coming,
22 and I look forward to hearing what you have to say.

23 MS. FRAZIER: Excuse me, Judge. I didn't
24 get to make an entry of appearance. I wanted to do that.

25 JUDGE STEARLEY: Certainly. And you are?

1 MS. FRAZIER: I'm sorry I didn't get to
2 catch that. I'm Jennifer Frazier with the Attorney
3 General's Office appearing for Department of Natural
4 Resources, P.O. Box 899, Jefferson City, Missouri.

5 JUDGE STEARLEY: Thank you very much.

6 MS. FRAZIER: Thank you.

7 JUDGE STEARLEY: Some initial remarks, I
8 did want to let you know that while Chairman Gunn and
9 Commissioner Kenney aren't here presently, they are
10 dealing remotely and will be reviewing the transcript of
11 the hearing, as well if we have items that are in camera.
12 And they have given me some questions which I may or may
13 not have to ask, depending on the questions of the other
14 Commissioners covered today.

15 I do want to ask that all electronic
16 devices be turned off, cell phones, computers, whatever
17 you may have. Particularly, I would like cell phones to
18 be off for this hearing. I know mine gets dialed
19 occasionally when I sit on it and occasionally having
20 people listen into my conversations, and we all appreciate
21 the sensitive materials that we deem discussed here today.

22 Additionally, because we are going to be
23 talking about sensitive matters, any of the parties that
24 have any concerns and would like to go in camera to not
25 have things webcast, would like the gallery cleared, if

1 there is any necessity for that at all depending on what's
2 answered, I'm going to trust you all to bring my attention
3 to it and we will protect the security of any responses
4 that are given here today.

5 Are there any other preliminary matters I
6 need to take up?

7 (No response.)

8 JUDGE STEARLEY: Okay. I'm going to ask if
9 the participants would like to make an opening remark.

10 MR. MILLS: Judge, just before we get
11 started, first of all, I want to commend the Commission
12 for opening this case. I think it's a very important
13 topic, and I think the Commission will learn a lot from
14 it.

15 Having said that, I certainly expect that I
16 will be more of a learner than a teacher in this process,
17 and I doubt that I will personally have much to add to the
18 proceeding today other than just listening; and, by your
19 leave, I may do that remotely as well.

20 JUDGE STEARLEY: That's quite acceptable,
21 Mr. Mills, and thank you.

22 Anyone who would like to make an opening
23 statement.

24 MS. TATRO: I brought Mary Hager who is
25 Vice-President of Information Technology, and she will

1 give, I guess, what will qualify as an opening statement.

2 JUDGE STEARLEY: All right. Very well.

3 MS. HAGER: Good morning. As

4 Vice-President of Information Technology at Ameren, I

5 wanted to relate to you the seriousness that we take

6 cybersecurity in our company. For well over a decade, we

7 have been investing in our cybersecurity defenses in order

8 to protect the electric and the gas distribution systems

9 that we take care of for our customers. Our organization

10 reports up through Dan Cole who is President and CEO of

11 Ameren Services. Dan reports to Tom Boss, the CEO of

12 Ameren Corporation, and we have visited with our Audit and

13 Risk Committee of our Board of Directors as well.

14 So, on a regular basis, we report to our

15 Audit and Risk Committee on our cyber defense strategy and

16 what we are doing to continue to protect our grid for our

17 customers.

18 Thank you.

19 JUDGE STEARLEY: Thank you.

20 Any other of the participants like to make

21 any opening remarks?

22 MR. FISCHER: Judge, on behalf of Kansas

23 City Power & Light and GMO, Ill just say that we provided

24 answers to the questions on August 3rd. Our witness is

25 here today and can answer questions or expand upon those,

1 but we don't have a formal opening statement at this time.

2 JUDGE STEARLEY: All right. Thank you, Mr.
3 Fischer.

4 MR. COOPER: Judge, similarly, Empire
5 appreciates the Commissioners interest on this issue, and
6 have no formal opening but is certainly happy to answer
7 any questions the Commissioners may have.

8 JUDGE STEARLEY: For all of those persons
9 who were identified by counsel as being hear to answer
10 questions, I am now going to swear you all in in mass.

11 So, if you would all please raise your
12 right hands.

13 (Whereupon, all witnesses were administered
14 the oath by Judge Stearley.)

15 JUDGE STEARLEY: You do?

16 (Indicating.)

17 JUDGE STEARLEY: Okay. I'm seeing heads
18 nodding. I'll let the record reflect that everyone has
19 sworn the oath.

20 And, with that, we can begin questioning.
21 Commissioner Jarrett.

22 COMMISSIONER JARRETT: Great. Thank you,
23 Judge Stearley.

24 I tried to couch my questions in very
25 general terms. It's not my intent to get into any sort of

1 confidential information. So, if we need to go in camera,
2 I may withdraw the question or rephrase it in a way that
3 it's not, but if it is something that needs to go in
4 camera, as the Judge said, we can do that. So, I'll start
5 with the question that Ms. Hager touched on. I want to --
6 and whoever can answer, probably ought to identify
7 themselves for the Court Reporter so that we get the right
8 person. But I would ask this of any of the witnesses that
9 want to answer this from each utility.

10 Talking about the culture of cybersecurity
11 in your organization, you know, is there by and throughout
12 the organization from the Board of Directors down to the
13 most entry-level position. Talk to me a little bit about
14 that, the culture of cybersecurity in your organization.

15 MR. RICE: Good morning. Tom Rice, and I'm
16 with Ameren. I think personally at Ameren there is buy-in
17 in from all levels of the organization. The Board of
18 Directors take it very seriously. All of the officers
19 that I work with in supporting Missouri take it seriously,
20 and all AM employees take it seriously.

21 Now, I think the challenge we have is to
22 make sure everybody understands their role. The
23 technology's there. Making sure the employees don't do
24 anything to circumvent what is there is where we're
25 putting a lot of our effort now. But everybody

1 understands the importance. I would say it's right up
2 there with safety. It's something that we know we have to
3 do and we have to do well. I think we just can't slide on
4 it. So, it's there. And I'm happy to say it's there.

5 JUDGE STEARLEY: Yes. I was going to say,
6 any of the witnesses that want to come forward, they can
7 sit at any of these tables that have a microphone or come
8 at the podium.

9 COMMISSIONER JARRETT: I think, if you come
10 forward and answer, that will facilitate.

11 MR. FISCHER: With leave of the Commission,
12 we'll just address your questions from here, if that will
13 be all right.

14 JUDGE STEARLEY: That's quite fine. Yes.

15 MR. HARRIS: Hi. My name is Scott Harris.
16 I'm with Kansas City Power & Light, manager of Information
17 Security and Compliance.

18 Cybersecurity at Kansas City Power & Light
19 is a very -- has a very strong commitment all the way from
20 the top. We have a standing agenda item on the board of
21 -- at each board meeting that we talk about the
22 cybersecurity, we talk about compliance.

23 From the, I guess, the company perspective,
24 we've also had -- the Information Security Department was
25 formed back in 1999. We have had a very comprehensive

1 security plan as well as information security policies
2 from that time. And they're all based upon industry best
3 practice, and we continually improve upon those policies
4 as the threat landscape changes so that we're constantly
5 reviewing those and updating those as necessary.

6 We also have a very strong training program
7 that includes mandatory information security training for
8 all employees.

9 MR. PALMER: Commissioner, I'm Mike Palmer,
10 Vice-President of Transmission Policy and Corporate
11 Services for Empire District Electric Company.

12 We are -- as all the other companies have
13 stated -- are very engaged in these issues. We think they
14 are very timely and pertinent to the security of our grid.
15 We do have -- I think Empire certainly has a very strong
16 culture of compliance. I am the Chief Cybersecurity
17 Officer for the corporation. We do have weekly officer
18 meetings. I give updates in between those weekly meetings
19 if the needs arise, but we have weekly face-to-face
20 meetings with the entire officer group.

21 I can talk about the status and issues that
22 we and our team are working on as we go forward to be
23 compliant with the standards that have been put in place.
24 We are active and working on and looking at new standards
25 as they come, and is trying to be engaged in that process

1 as well.

2 We are very active in the Southwest Power
3 Pool. Our company experts are engaged with other experts
4 from other companies, certainly those represented here
5 today, but also other members of the Southwest Power Pool,
6 for these issues are, again, very pertinent and front and
7 center. So, we are very appreciative of this opportunity,
8 very appreciative of the Commissioners calling this
9 hearing in order to discuss these issues.

10 So, thank you very much.

11 COMMISSIONER JARRETT: Well, thank you.
12 And, Mr. Palmer, I'll stay with you, because that's a good
13 segueway into another one of the my questions, talking
14 about, you know, working with the Southwest Power Pool and
15 other entities, partnerships with both public and private
16 entities.

17 Can you talk a little bit about -- and you
18 may have already answered it and you may not have -- any
19 more to elaborate, but, you know, what kind of public-
20 private partnerships are you involved in, how do you work
21 as far as sharing best practices, those types of things?

22 MR. PALMER: I will make an attempt at
23 answering this question. I may pull on Fred Meyer. He is
24 very active with the Southwest Power Pool and other
25 companies.

1 Again, that, the NERC was given the
2 authority to govern the standards that have been put
3 forth. I think this came from the Energy Policy Act of
4 2005 that gave the FERC the authority to impose standards
5 and penalties for the first time for companies that were
6 noncompliant. The FERC then interacted with the North
7 American Electric Reliability Counsel, NERC, to develop
8 the standards and to develop a program to audit companies
9 with these standards. As part of the NERC, then, program,
10 they selected the Southwest Power Pool to be what is
11 called the regional entity. They are responsible for
12 enforcing standards within the Southwest Power Pool
13 footprint.

14 So, our manager of Reliability and
15 Compliance, Fred Meyer, is very active with other
16 companies within the Southwest Power Pool to talk about
17 the issues that are front and center, companies that have
18 been going through audits, seeing what we can learn and
19 gain from those, and try to be proactive and in advance of
20 meeting any issues before they are -- become a -- become a
21 problem for us.

22 So, let me see if Fred has any items he
23 would like to expand on with that.

24 MR. MEYER: Good morning, Commissioners.
25 My name is Fred Meyer from the Empire District Electric

1 Company. I'm manager of Reliability Compliance.

2 As Mike expanded on, we are a member of the
3 Southwest Power Pool which is a group of entities formed
4 to create that power pool many years ago. We do meet
5 regularly in forums and conventions and workshops to
6 discuss the latest and greatest, if you will, of the
7 cyberissues and discuss those regularly.

8 I saw some familiar faces when we walked in
9 the room today because they're made of people that I deal
10 with on a regular basis, especially with the folks here
11 from Kansas City Power & Light, where we're also members
12 of the Southwest Power Pool. We meet regularly, we stay
13 up-to-speed with the new changing standards and new
14 threats, and we discuss the appropriate measures to take
15 care of those issues.

16 COMMISSIONER JARRETT: Thank you.

17 MR. HARRIS: Yeah, in addition to, you
18 know, KCPL also participates in the SPP workshops, we
19 participate in critical infrastructure protection working
20 groups. In addition to those, some of the organizations
21 that we listed in our response include Nesco as well as
22 the Fusion Centers. There are three people within Kansas
23 City Power & Light that have superclearances, so we
24 regularly participate in the biweekly closed security
25 briefings with the local Fusion Center office.

1 In addition to that, we participate in the
2 transmission for, um, peer sharing, peer sharing group.
3 That is an opportunity for us to actually go and
4 participate in something that's similar to a mock audit at
5 other utilities, so we share and learn from other
6 utilities information at those events.

7 In addition to those, some of the private
8 organizations that we participate in are the local
9 security organizations. We've got ISSA, which is the
10 Information Securities Systems Association. All of our
11 information security analysts are certified, so we
12 participate in the CISSP forums, and those kind of things
13 as far as sharing information. And then, finally, we
14 participate in EPRE, EEI, meetings as well.

15 COMMISSIONER JARRETT: Thank you.

16 MS. HAGER: I agree with many of the same
17 things the gentleman before me has mentioned.

18 I would go on to say that we're very active
19 in the St. Louis area with other companies in St. Louis on
20 cybersecurity boards and things of that nature. Chris
21 Saywald, who is a member of my staff, actually chairs the
22 EEI Cybersecurity Working Group. Another member at our
23 company chairs the SIP, Critical Infrastructure, for that
24 same program. We also -- I think we're trying to lean
25 more on other industries and what they're doing.

1 Actually, in Missouri, we're having a
2 company that had a breach. They are coming in and talking
3 to all of our IT supervisors and some of our control
4 systems supervisors as to what happened, what they
5 learned. So, again, just trying to share from the
6 misfortune that others have had.

7 COMMISSIONER JARRETT: What about from the
8 MISO level? Do you all participate in MISO in any type of
9 cybersecurity workshops or working groups?

10 MS. HAGER: Yes. I don't know the
11 specifics. Chris.

12 MR. EMMEL: Chris Emmel. MISO, but more
13 we're in CERC, so we're from the CERC perspective. So,
14 CERC is our regional entity, and we do a lot of work in
15 that function.

16 COMMISSIONER JARRETT: Okay. Thank you.

17 One of my other questions -- and Mr. Palmer
18 touched on this -- let's start with KCP&L since I've been
19 picking on Mike a little too long. It has to do with we
20 talked about compliance to standards. And there's really
21 kind of two approaches, you know, compliance-based
22 approach versus risk-based approach.

23 Do you -- do you look at both of those as
24 being equally important? I mean, you work, obviously, to
25 comply with the standards because those are, many times,

1 mandatory. But sometimes being compliant with the
2 standards doesn't necessarily mean that you're fully
3 protected. So, what are you doing other than just
4 compliance? Do you take a risk-based approach as well?

5 MR. HARRIS: As I mentioned, the
6 Information Security Department has been in existence
7 since 1999. Our cyber program is based upon the policies
8 and standards that we have set forth in 1999 that we
9 continually review and modify. My philosophy is, you
10 know, compliance should be a result of properly securing
11 your systems from a -- not only from a risk perspective
12 but from an industry best practice perspective.

13 So, I don't want compliance to drive
14 security. I want our policies and standards to drive
15 security and result in a compliant system with whatever
16 standard, whether it's the NERC, SIP standards, or any
17 other standards that come out.

18 COMMISSIONER JARRETT: Mr. Palmer. Mr.
19 Meyer.

20 MR. MEYER: Our procedures and policies are
21 based on best practices, at the same time hearing the
22 standards that are required. So, they are sometimes where
23 a best practice either is expounded upon within the
24 standards or not. But, a lot of times, best practice does
25 come first.

1 THE COURT REPORTER: Your name, please?

2 MR. MEYER: Frederick Meyer. It may be
3 confusing two Meyers. I'm Fred Meyer.

4 MR. PALMER: I want to expand on that a
5 little bit, what the Commissioner touched on previously.

6 If we are doing everything right, we should
7 be compliant. But the nature of this game is changing so
8 rapidly, the folks that are working to hack into the
9 systems are developing new thoughts and methods, and, so,
10 we have to been very vigilant. We may be -- we companies
11 may see things that are coming that we can help then to
12 inform the other companies that, Gosh, we need to change
13 this standard, guys. Something new is coming in.

14 So, I think being compliant is certainly
15 all of our goals. Being engaged in the process is our
16 goal, but keeping an eye out for things that may not have
17 been thought about is also very crucial to maintaining the
18 security.

19 JUDGE STEARLEY: Anything from Ameren?

20 MS. HAGER: So, Ameren has a comprehensive
21 corporate risk management system. We participate in that
22 program. So, certainly, compliance is important. Best
23 practices more, I think from our perspective, end up being
24 a mitigation strategy. But first we look at what is the
25 risk, what is the likelihood of the threat, what is the

1 impact of the threat, and then we base our response based
2 on what we're seeing from those various risk profiles, and
3 we work not only with our IT folks as to assessing what
4 those scenarios are, but then we work with the business
5 lines as well.

6 We update those quarterly and then do more
7 of a deep refresh once a year. So, it's a combination of
8 the corporate risk management system, and then we leverage
9 best practices and programs to mitigate anything that
10 we're seeing.

11 COMMISSIONER JARRETT: Great. You know, we
12 talk a lot about the protection and that's, obviously,
13 very important to protect against a cyberattack. But we
14 all know that to protect against every cyberattack would
15 be just so expensive it's just not possible. So, we
16 trade, I guess, some risk reward. We do a cost benefit
17 analyses to see what's effective and what's not effective
18 for the money that one can spend on protection. So, I
19 want to talk a little bit about resilience and recovery.

20 Just, generally, do you feel your companies
21 are adequately addressing not only protection but
22 resiliency and then recovery in case there is an attack
23 that succeeds or partially succeeds?

24 MS. TATRO: Your Honor, Ameren Missouri is
25 happy to answer this question, but we do feel like this

1 needs to be a HC answer.

2 COMMISSIONER JARRETT: All right. Do you
3 want to go in camera?

4 MS. TATRO: Yes, please.

5 JUDGE STEARLEY: Ms. Tatro, does anybody
6 need to leave? That's what I'm going to ask.

7 MS. TATRO: Are you a member of the media?

8 UNIDENTIFIED PERSON: I am.

9 MS. TATRO: I'm going to have to ask you to
10 leave.

11 UNIDENTIFIED PERSON: Okay.

12 MS. TATRO: Sorry.

13 UNIDENTIFIED PERSON: That's okay.

14 MS. TATRO: I think everyone else in the
15 room is related to Public or Staff or Office of Public
16 Counsel or DNR.

17 JUDGE STEARLEY: Be sure before we start.

18 MS. TATRO: Okay. Thank you.

19 JUDGE STEARLEY: Do you need someone
20 guarding the door?

21 MS. TATRO: I think we're okay.

22 JUDGE STEARLEY: Okay. You may proceed.

23 (REPORTER'S NOTE: At this point, an
24 in-camera session was held, which is contained in Volume
25 2, pages 26 through 32 of the transcript.)

1 JUDGE STEARLEY: All right. We are back in
2 the public forum.

3 COMMISSIONER JARRETT: We talked a little
4 bit about this before, but I wanted to talk a little bit
5 about training, whether it be for employees or contractors
6 or vendors.

7 Do you feel your company's doing a good job
8 at doing the type of training you need to do for your
9 employees to make them aware of cybersecurity and give
10 them the tools that they need to help in cybersecurity
11 protection? For example, when I was in the Army National
12 Guard, we -- you know, this is very simple -- but we did
13 -- had to do annual computer training where, you know, we
14 would be told, you know, use a difficult password, don't
15 use your phone number or your home address, or anything
16 like that. You know, secure laptops if you have them at
17 home, or if you're traveling with them. Don't use
18 personal thumb drives in company equipment. Those types
19 of things.

20 So, if you could just kind of generally
21 talk about your training program and how you view training
22 of employees, vendors, contractors. Start with Empire.

23 MR. MEYER: Thank you, Commissioner. Some
24 of the types of things, yes, we do have a very adequate
25 training program where we train employees on different

1 levels of the types of security that they need to be aware
2 of in relation to cyber. And some of things you
3 mentioned, which I cannot mention in detail, we do cover
4 in our training. And that is covered correctly and on an
5 annual basis.

6 MR. HARRIS: Yes. Kansas City Power &
7 Light also has a very comprehensive information security
8 training program. We require every employee that has a
9 network ID on to our network to take this training. They
10 typically have a -- you know, three months to complete it.
11 If they do not complete it within the required time, we
12 disable their account.

13 We -- not only do we require training for
14 the vendors and contractors under the NERC standards, but
15 we require that of all contractors who are coming onsite.
16 This is the annual training that I'm talking about, but,
17 also, we do monthly reinforcement training. We'll do that
18 through posters, through electronic communication like an
19 e-newsletter, or in the break rooms we have electronic
20 boards that we will have, you know, various topics,
21 whether it's USB or laptop or whatever, that are
22 constantly scrolling through and providing additional
23 education.

24 COMMISSIONER JARRETT: Great.
25 Ameren.

1 MS. HAGER: We do the same thing. We have
2 annual training requirements, CBTs as you mentioned, for
3 all our employees and contractors that's appropriate for.
4 Throughout the year, we have various types of awareness
5 campaigns that are going on, posters, electronic
6 communications. We're also -- as our cybersecurity
7 defenses are evolving, our cybersecurity training
8 awareness program continues to evolve as well.

9 We're rolling out a program now where we
10 will provide various amounts of hours depending on your
11 level in the organization. So, more focused training for
12 executives and our officers, less prescribed and more
13 what's going on right now that you need to be aware of to
14 make better business decisions. So, that's the next step
15 in our evolution of our training awareness program at
16 Ameren.

17 COMMISSIONER JARRETT: Okay. Thank you. I
18 did want to ask one question on personally-identifiable
19 information.

20 Of course, that's something you all deal
21 with. It's something we deal with here at the Commission.
22 Do you feel that there are adequate resources being
23 allocated to protect the personal information that you all
24 have in your systems, you know, customer information, that
25 type of thing? And I don't need a detailed answer, just

1 kind of a general.

2 MS. HAGER: I believe we do at Ameren. We
3 -- the only thing I'll add to that is that the data that's
4 on -- takes place that's backed up are currently
5 encrypted, and we have projects underway on this issue to
6 encrypt all the data that contains that type of
7 information. So, we're doing everything we can do.

8 MR. HARRIS: Also, at Kansas City Power &
9 Light, we do have adequate measures in place to protect
10 personally-identifiable information. Some of them are
11 like separation of duties, change control. We do encrypt
12 the information that is identified as PII, and we also do
13 background checks on employees who have access to that
14 information.

15 MR. PALMER: Yes. We at Empire feel like
16 we are doing a very good job at protecting the customer
17 information. This is a very dynamic time in the world as
18 customers demand more information from their computers on
19 a 24/7 basis. We want to provide that and yet provide the
20 security necessary to protect their information from
21 others. So, we do feel like we are doing a very adequate
22 job of that.

23 COMMISSIONER JARRETT: One of the issues
24 that I've seen working on the NARUC Committee, Critical
25 Infrastructure, is sometimes there is a disconnect between

1 the IT systems and the control systems. What I mean by
2 that is, you know, you have the IT folks to handle all the
3 computer systems and the business systems, and then you
4 have more of the engineering types that handle the control
5 systems.

6 Can you describe or just talk a little bit
7 about how your organizations work, you know, to bring
8 those silos together as far as cybersecurity so everybody
9 kind of understands and is talking on the same page? And
10 maybe a followup to that is, your cybersecurity folks
11 responsible for cybersecurity, are they well-versed in
12 both the control systems and the IT systems as so that
13 they can work on those?

14 MR. PALMER: Mike Palmer from Empire.
15 Again, Commissioner, we are in preparation of a NERC audit
16 on our system next year, and in anticipation to that, we
17 have teams in place already that have been working to make
18 sure that we are compliant and looking for any issues that
19 we need to resolve ahead of this audit. Those teams
20 include people from the IT Department, they include people
21 from the power plants and folks from the engineering
22 departments that are directly responsible for relay
23 settings, and those types of things. Also includes our
24 folks that are in charge of our energy management system
25 that helped control the flow of electricity in the grid.

1 So, we've been very active in trying to
2 make sure there are not any gaps or any silos in our
3 companies between these different departments. And I
4 think this preparation work for these audits has been very
5 helpful for us in doing that.

6 JUDGE STEARLEY: KCPL.

7 MR. HARRIS: Yes. Kansas City Power &
8 Light, you described that separation, and that is how it
9 has been traditionally. But with the NERC substandards
10 that have come out and we have recognized that we need to
11 change that, so we are actively in the process of changing
12 the -- I guess the responsibility for the cybersecurity at
13 the plants.

14 I will say that the policies and standards
15 are corporate-wide, so they do not just apply to IT. They
16 apply to every corporate system at Kansas City Power &
17 Light. So, those engineers who are responsible for the
18 control systems are also required to adhere to the
19 standards.

20 COMMISSIONER JARRETT: All right. And
21 Ameren.

22 MS. HAGER: There is a separation as far as
23 who is responsible for administering the systems at
24 Ameren. We do follow all of the same policies and
25 procedures. It's a very collaborative and cooperative

1 environment. I have -- underneath Chris Sayble, I have
2 one supervisor and entire team that just focuses on data
3 systems security. Within my staff, we send them to Idaho
4 labs for training.

5 So, those are the people that work arm-in-
6 arm with the engineers maintaining the systems. So, I
7 think it's working extremely well with that type of
8 organization.

9 COMMISSIONER JARRETT: Great. Well, I have
10 just one more question. And I'm glad that the folks that
11 were responsible for cybersecurity are here, because I'm
12 going to ask you for your opinion.

13 You've probably answered this in some of my
14 other questions, but just to kind of wrap up, are you
15 folks that are responsible for the cybersecurity getting
16 the resources that you need to adequately do your jobs,
17 whether it be monetary or management support?

18 MR. PALMER: Mike Palmer with Empire again.
19 I'll give an emphatic yes to that question, Commissioner.
20 We have broad support with the officer group and the board
21 of the company. They are very engaged. We do not want to
22 be the cause of any issue in the electric grid that takes
23 power down over the region, so, emphatically yes, we have
24 full support at the highest levels in the company to make
25 sure that we're in good shape.

1 MR. HARRIS: Yes. Scott Harris with Kansas
2 City Power & Light. Again, I mentioned this before, but
3 we do have the board level support. We are on their
4 agenda at every board meeting. You know, we have the
5 adequate resources, not only in full-time employees but in
6 monetary investments that we make in the cybersecurity
7 area.

8 So, yes, I will echo that very emphatic
9 yes.

10 MS. HAGER: Same goes with Ameren. Support
11 to the point where the business Presidents actually reach
12 out to my staff and ask them to come and attend their
13 staff meetings and talk to them and their staff about
14 cybersecurity. So, we have everything we need to be
15 willing to do.

16 COMMISSIONER JARRETT: Thank you all very
17 much. That's all the questions I had today, and you all
18 provided very good answers to the written questions, and I
19 appreciate that as well. So, with that, I will wrap up
20 and turn it back over to the Judge.

21 JUDGE STEARLEY: Commissioner Stoll. Do
22 you have any questions?

23 COMMISSIONER STOLL: Your Honor, I believe
24 that Commissioner Jarrett has asked the questions that I
25 was interested in. My questions related to the -- how

1 cybersecurity -- how your cybersecurity plan was tested
2 and about employee training and the incident response
3 drills that you have annually. I guess, as someone said,
4 there are so many potential threats out there, you do your
5 best to, you know, try to counter any of those with your
6 current plan, but I was, I guess, specifically wondering
7 about how you tested that plan, tested your plan, and I
8 think those have been answered. I won't ask any more
9 regarding that.

10 So, again, I'm kind of a learner on this,
11 too. My hat is off to Commissioner Jarrett and the work
12 he's been doing at NARUC, and I appreciated your comments
13 here today and your response to the order that you filed.
14 So, again, thank you for the information you've provided.

15 JUDGE STEARLEY: And, before we conclude, I
16 did want -- I did have one question. If the participants
17 here believed that the Commission should engage in any
18 rule making or if you have any other suggestions for the
19 Commission with regard to how it can assist the parties
20 going forward with their cybersecurity practices.

21 MR. FISCHER: Judge, from Kansas City Power
22 & Light's perspective, we're certainly very happy to
23 engage with the Commission on any issues you would like to
24 talk with us about. We don't see a need at this point for
25 a specific rule making on this topic. But, like I say, if

1 the Commission feels that there is an area that you would
2 like to address, we would like to participate.

3 JUDGE STEARLEY: Anyone else?

4 MR. COOPER: Empire has the same thought.
5 We very appreciate your concern on a very pertinent topic.
6 Today we are heavily in the process developing standards
7 we now have imposed on us, so I do not feel there is a
8 need at this time to have a rule making session on this
9 topic.

10 JUDGE STEARLEY: Any comments from Ameren?

11 MS. TATRO: Thank you. Ameren Missouri
12 takes this issue very seriously and, I mean, seriously
13 enough that we even brought Dan Cole who is the President
14 and CEO of Ameren Missouri Services in order to
15 demonstrate the level of importance that's assigned to
16 this. We don't think a formal rule making probably is
17 necessary. We do think that there might be opportunities
18 for a partnership between the utilities and the Commission
19 in terms of this Commission holds confidential information
20 about our company.

21 And, so, there probably could be --
22 frankly, I personally don't know who the IT person is at
23 the Commission. That just may be my ignorance, but there
24 probably is room for some thought about how to improve
25 that transfer of information and those kinds of things.

1 That would be my area around the Commission, I think that
2 would be interesting to continue to talk about. And,
3 certainly, as we go forward in this, if the Commissioners
4 have specific questions about Ameren Missouri, they're
5 more than welcome to come to our offices, if that would be
6 beneficial.

7 JUDGE STEARLEY: Commissioner Jarrett.

8 COMMISSIONER JARRETT: Gentlemen, I just
9 wanted to say Ms. Tatro makes a very valid and good point,
10 and we have talked about that issue at the Committee on
11 Critical Infrastructure and some of our neighbor meetings.
12 While we regulate utilities and we want to make sure you
13 all have the resources that are doing what you need to do,
14 commissions also need to look at their own practices,
15 because we do hold in confidential information and we need
16 to protect it and we need to make sure that, when
17 information is transferred, it's protected.

18 Because you all, you know, send us a lot of
19 communications electronically. So, we need to make sure
20 that those are secured and protected as well. So, you
21 make a good point, and I think that's a good -- a good
22 idea that we should get together and cooperate to make
23 sure that all of our practices are best practices and
24 we're keeping everything as secure as we can here on our
25 end.

1 MS. TATRO: Great. Our people are
2 certainly willing and stand ready to work with your folks.

3 COMMISSIONER JARRETT: Yes.

4 JUDGE STEARLEY: And Commissioner Kenney
5 and the Chairman have indicated they don't have any
6 further questions, and they thank you all for your
7 participation.

8 Does anyone wish to make any type of
9 closing remark or any additional comments?

10 (No response.)

11 JUDGE STEARLEY: All right. Well, hearing
12 none, the On-The-Record proceeding in EW-2013-0011 is
13 hereby adjourned. I thank you all very much.

14 (Adjournment.)

15 (Whereupon, the record ended at 10:55 a.m.)

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1 C E R T I F I C A T E

2 STATE OF MISSOURI)
) ss.

3 COUNTY OF COLE)

4 I, Pamela S. Gentry, Certified Court
5 Reporter with the firm of Midwest Litigation Services, do
6 hereby certify that I was personally present at the
7 proceedings had in the above-entitled cause at the time
8 and place set forth in the caption sheet thereof; that I
9 then and there took down in Stenotype the proceedings had;
10 and that the foregoing is a full, true and correct
11 transcript of such Stenotype notes so made at such time
12 and place.

13 Given at my office in the City of
14 Jefferson, County of Cole, State of Missouri.

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Pamela S. Gentry, CCR #426

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