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Congress of the United States  
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CHAIR, CALIFORNIA DEMOCRATIC  
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Co-CHAIR, CONGRESSIONAL CAUCUS ON VIETNAM

The Honorable Cheryl A. LaFleur  
Acting Chairman  
Federal Energy Regulatory Commission  
888 1<sup>st</sup> Street NE  
Washington, D.C. 20426

February 27, 2014

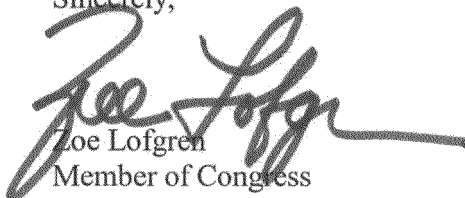
Dear Chairman LaFleur,

I am writing with regard to your letter of February 11, 2014, written in response to a February 7 letter from Senators Reid, Feinstein, Wyden, and Franken. This letter was brought to my attention, as the incident discussed in your correspondence - the attack on PG&E's Metcalf facility - occurred in California's 19<sup>th</sup> Congressional district, which I represent.

In your letter, you mention that, "Congress could improve the Commission's and NERC's ability to address the risks related to physical and cyber attacks by enhancing the confidentiality of sensitive security information concerning physical or cyber threats to, or vulnerabilities of, the bulk power system. A properly-defined exemption from the Freedom of Information Act would be very helpful."

During a meeting with the Commission in October 2013, I indicated that I would speak with my colleagues on a bipartisan basis about the necessity of such an exemption. I have followed through on this commitment, and have achieved tentative bipartisan support in principle, subject to specific legislative language. What I do not have, although my staff reached out to FERC's Office of Congressional Affairs in October, is technical guidance from your agency. After some delay, an initial discussion was held in December, and following that discussion, my staff sent draft legislative language to FERC on January 13<sup>th</sup> of this year for technical feedback and review. I am still awaiting technical guidance from the Commission. It seems unreasonable that a straightforward request initiated last October has not been completed by the end of February. I look forward to your prompt feedback, and hope that we can proceed expeditiously to ensure adequate protection for our nation's critical infrastructure.

Sincerely,

  
Zoe Lofgren  
Member of Congress