

April 14, 2023

Electronically Filed in TPUC Docket  
Room on April 14, 2023 at 2:57 p.m.

**VIA ELECTRONIC FILING**

Hon. Herbert H. Hilliard, Chairman  
c/o Ectory Lawless, Docket Room Manager  
Tennessee Public Utility Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243  
[TPUC.DocketRoom@tn.gov](mailto:TPUC.DocketRoom@tn.gov)

**RE: *Rulemaking to Promulgate Rules for Utility Cybersecurity Plan Reporting as Required Under Tenn. Code Ann. § 65-4-127, TPUC Docket No. 23-00001***

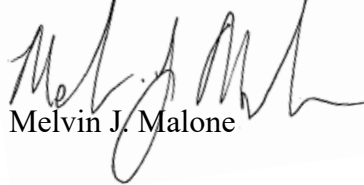
Dear Chairman Hilliard:

Please find attached for filing *Tennessee American Water Company's Comments on Revised Proposed Rule* in the above-captioned docket.

As required, the original plus four (4) hard copies will be mailed to your office. Should you have any questions concerning this filing, or require additional information, please do not hesitate to contact me.

Very truly yours,

BUTLER SNOW LLP



Melvin J. Malone

clw

Attachment

cc: Bob Lane, TAWC

Erik Lybeck (Atmos Energy Corporation)  
Paul S. Davidson (Piedmont Natural Gas Company, Inc.)  
J. W. Luna (Chattanooga Gas Company)  
Floyd R. Self (Chattanooga Gas Company)  
Vance Broemel, Consumer Advocate  
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BUTLER SNOW LLP

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION  
NASHVILLE, TENNESSEE**

**April 14, 2023**

<b>IN RE:</b>	)	
	)	
<b>RULEMAKING TO PROMULGATE</b>	)	
<b>RULES FOR UTILITY</b>	)	<b>DOCKET NO. 23-00001</b>
<b>CYBERSECURITY PLAN REPORTING</b>	)	
<b>AAS REQUIRED UNDER TENN CODE</b>	)	
<b>SECTION 65-4-127</b>	)	

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**TENNESSEE AMERICAN WATER COMPANY'S  
COMMENTS ON REVISED PROPOSED RULE**

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Tennessee American Water Company (“TAWC or “Company”) hereby submits these Comments in response to the Notice of Open Docket for Filing Limited Comments, issued March 31, 2023 (“Notice”) on the revised proposed rules.

TAWC appreciates the consideration of the initial comments that TAWC and other utilities provided in March 2023, provided on March 14, 2023, and believes the revised proposed rule is substantially improved. TAWC has a deep commitment to cybersecurity and appreciates the efforts by the TPUC to develop rules assuring that utilities under their jurisdiction are actively addressing cybersecurity and continually updating cybersecurity plans while understanding the highly sensitive and confidential nature of those plans.

1. TAWC supports the revised definitions in Rule 1220-04-15-01. In particular, the definitions of “Information Technology System” and “Operational Technology System” bring needed clarity to the rule and comport well with current thinking in the cybersecurity realm.

2. TAWC fully supports the revision to the insurance requirement in proposed rule 1220-0515-04 recognizing the potential risk of disclosure of details regarding cybersecurity insurance carried by utilities under the Commission's jurisdiction.

3. TAWC supports the proposed revision to the notification requirement in proposed rule 1220-04-15-.06. However, the revised proposed rule is unclear as to whether this new reporting requirement refers to all incidents or only to cybersecurity incidents. Additionally, Rule 1220-04-03.42 Interruption of Supply already applies to "all interruptions (except those occurring in the course of routine operations) to, or major impairment of, service for periods of a duration of one (1) hour or more occurring on production works, storage works or transmission mains, or on distribution mains or of accident or damage to portions of the plant which might lead to such interruptions of service". Given the existing rule, the Company recommends that the proposed rule be revised to specify that it applies only to cybersecurity events and to recommends that it refer to "interruption of service," rather than "disruption of service," a new, somewhat ambiguous, term. To accomplish this, TAWC proposes revising the proposed Rule as follows:

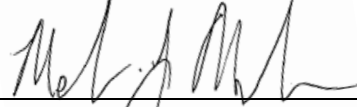
1220-4-15-.06 Required Notification to Commission

All utilities shall electronically notify the Commission's Executive Director of any cybersecurity incidents that result in an interruption of service ~~disruption of service~~.

4. TAWC appreciates the opportunity provide comments regarding the revised proposed rules and looks forward to participating in any future proceedings in this docket.

Respectfully submitted this 14<sup>th</sup> day of April 2023.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'Melvin J. Malone', is written over a horizontal line.

MELVIN J. MALONE (BPR #013874)

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