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February 8, 2023

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA E-FILING

**RE: Rulemaking to Review Cyber Security Self-Certification Requirements and the Criteria for
Cyber Attack Reporting;
Docket No. L-2022-3034353**

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") are the Comments of Tri-Co Connections, LLC and Claverack Communications, LLC regarding the above-referenced proceeding.

This filing has been served via email on the parties listed on the attached Certificate of Service. If you have any questions regarding this filing, please feel free to contact the undersigned. Thank you.

Very truly yours,

Pamela C. Polacek

By

Pamela C. Polacek

Counsel to Tri-Co Connections LLC and
Claverack Communications LLC

Enclosure

c: Certificate of Service

Colin Scott, Esq., Assistant Counsel, Law Bureau (via email)

Chris Van de Verg, Esq., Assistant Counsel, Law Bureau (via email)

Daniel Searforce, Manager—Water, Reliability and Emergency Preparedness, TUS (via email)

Michael Holko, Director, Office of Cybersecurity Compliance and Oversight (via email)

Karen Thorne, Regulatory Review Assistant, Law Bureau (via email)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Rulemaking to Review Cyber Security :
Self-Certification Requirements and the : Docket No. L-2022-3034353
Criteria for Cyber Attack Reporting :

**COMMENTS ON ADVANCED NOTICE OF PROPOSED RULEMAKING
OF TRI-CO CONNECTIONS, LLC AND CLAVERACK COMMUNICATIONS, LLC**

On November 10, 2022, the Pennsylvania Public Utility Commission (“PUC” or “Commission”) issued an Advance Notice of Proposed Rulemaking Order (“ANOPR Order”) seeking stakeholder input on a variety of issues regarding the Commission’s existing cyber security self-certification requirements and criteria for reporting cyber attacks. The ANOPR Order was published in the *Pennsylvania Bulletin* on December 10, 2022.¹ Pursuant to the schedule set forth in the ANOPR Order, Tri-Co Connections, LLC and Claverack Communications, LLC hereby submit these Comments.

Tri-Co Connections and Claverack Communications are broadband and telecommunications providers serving customers in Northern Pennsylvania. Tri-Co Connections and Claverack Communications have received Competitive Local Exchange Carrier (“CLEC”) licenses and Eligible Telecommunications Carrier (“ETC”) certifications from the PUC.

The ANOPR seeks input on whether changes may be needed to the current self-certification and cyber attack reporting requirements. Tri-Co Connections and Claverack

¹ 52 Pa. Bull.7507.

Communications urge the Commission to conclude that changes **are not** needed regarding these items for jurisdictional telecommunications entities. As the Commission is aware, Chapter 30 of the Public Utility Code has been amended to reflect the increasingly competitive landscape of the telecommunications industry. In that landscape, the Federal Communications Commission takes a very active role in monitoring cyber breaches, especially those that result in the release of customer information, including a recently-initiated proposed rulemaking to update data breach requirements. *See Data Breach Reporting Requirements*, WC Docket No. 22-21, Notice of Proposed Rulemaking released Jan. 6, 2023.

The current annual self-certification and cyber attack reporting requirements reflect the appropriate balance between the PUC's oversight and the carrier's compliance burden under Chapter 30 of the Public Utility Code. This is especially evident given the FCC's concurrent requirements in this area.

WHEREFORE, Tri-Co Connections, LLC and Claverack Communications, LLC respectfully urge the Commission to incorporate these Comments in its consideration of whether to move forward with the formal rulemaking.

Respectfully submitted,
Pamela C. Polacek

By _____
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Date: February 8, 2023