

Pennsylvania Telephone Association

*"The Communications
Leader in Pennsylvania"*

Steven J. Samara
President

VIA ELECTRONIC FILING

Matthew L. Homsher, Esq., Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

July 16, 2025

Re: Rulemaking to Review Cyber Security Self Certification Requirements
and the Criteria for Cyber Attack Reporting
Docket Number: L-2022-3034353

Dear Secretary Homsher:

The Pennsylvania Telephone Association (PTA or companies) hereby submits these comments in response to the Pennsylvania Public Utility Commission (PUC or Commission) Order of April 24, 2025, at Docket Number L-2022-3034353 and subsequent publication in the Pennsylvania Bulletin on May 17, 2025.

The PTA applauded the Commission's initiative when it initially sought comment on cybersecurity matters with its Order of November 10, 2022, and we do so again here as the PUC seeks updated perspectives to advance the discussion.

As a threshold matter, the rural local exchange carrier members (RLECs) of the PTA offer these comments being mindful of not only Pennsylvania statute¹, but also, as the Commission mentions in its Order, the directives of the Biden Administration's National Cybersecurity Strategy which counseled regulatory agencies to minimize the cost and burden of compliance with cybersecurity standards. While the previous administration's strategy may no longer technically be applicable, the PTA believes that based upon the current Administration's directives to date, a minimized regulatory burden framework is favored.

The Commission's Order directs comments to be filed in response to one or more of the numbered topics in Appendix A to the Supplemental ANOPR. To the extent that the PTA comments are not delineated in such fashion the companies reserve the right to comment going forward on this important matter.

¹ Act of 2004, P.L. 1398, No. 183, §3011 (13) "Recognize that the regulatory obligations imposed upon the incumbent local exchange telecommunications companies should be reduced to levels more consistent with those imposed upon competing alternative service providers" and §3015 (F)(1) "Notwithstanding any other provision of this title to the contrary, no report, statement, filing or other document or information, except as specified in subsection (E) shall be required of any local exchange telecommunications company unless the commission, upon notice to the affected local exchange company and an opportunity to be heard, has first made specific written findings supporting conclusions that: ...(II) The benefits of the report substantially outweigh the attendant expense and administrative time and effort required of the local exchange telecommunications company to prepare it."

Cybersecurity Fitness Standards

The PTA believes that requiring conformity with NIST or other standards is unnecessary (Question #1). While the companies routinely utilize these types of standards as guidelines for their cybersecurity plans, a mandatory requirement on conformity could be burdensome to the RLECs and may frustrate the Commission's stated objective of avoiding overlapping regulations. The PTA appreciates the Commission's recognition at Question #2 (a) that regulatory burdens may impact utilities of different sizes to varying degrees and at (d) that waivers could be available for smaller utilities with less critical infrastructure but believes that continuing the current self-certification process utilized by the Commission obviates the need for any changes in these areas.

Cyber Incident Reporting

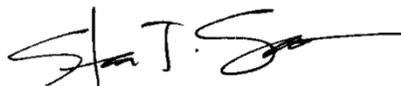
By referencing Section 1501 of the Public Utility Code in framing Question # 5, the Commission has adroitly and accurately summarized why additional cybersecurity incident reporting is unnecessary and why the Commission should have a limited role in the scenarios posed in Question #6 (a-d). Question #6 (e) and (f) remind the PTA of the Commission's ongoing multi-agency and industry stakeholder efforts with the Black Sky Steering Committee, an initiative in which the PTA has been very active. The Committee would be the ideal forum in which to discuss cybersecurity threats and share information from federal and state agencies to help identify and mitigate cyber threats.

General

The Staff Working Proposal referenced in Question #11 appears to eliminate provisions relating to the Self Certification Form and cyber security plans. The PTA is on record as supporting the current self certification requirement and opposing any additional reporting. As we previously commented in this docket, the PTA suggests that additional reporting obligations for cybersecurity do not meet the statutory tests and that the RLECs be excluded as the Commission acknowledged in prior rulings on service outage² and diversity³ reporting. Consequently, we're not certain what the proposal is attempting to achieve but, as with the remaining provisions in the proposal, the PTA stands ready to discuss further.

The PTA appreciates the opportunity to comment on this important matter.

Sincerely,



Steven J. Samara
President

² Utilities' Service Outage Response and Restoration Practices, L-2009-2104274, Order entered Sept. 23, 2011

³ Diversity Reporting of Major Jurisdictional Utilities, L-2020-3017284, Final Rulemaking Order entered April 14, 2022