



August 24, 2020

**Via Email**

U.S. Department of Energy  
Attn: Bulk-Power Systems RFI  
1000 Independence Avenue, SW  
Office of Electricity, Mailstop OE-20  
Room 8G-024  
Washington, DC 20585  
[bulkpowersystemEO@hq.doe.gov](mailto:bulkpowersystemEO@hq.doe.gov)

**Re: NHA Comments re: DOE's RFI (DOE-HQ-2020-0028) on the bulk power system EO**

The National Hydropower Association (NHA) submits the following comments to the Department of Energy's request for information related to Executive Order (EO) 13920, "Securing the United States Bulk-Power System." NHA represents more than 240 companies, from Fortune 500 corporations to family-owned small businesses. Our diverse membership includes public and investor-owned utilities, independent power producers, developers, equipment manufacturers and other service providers. As a national association, we have members across the country who work daily to ensure that hydropower continues to provide reliable, resilient and clean energy to our nation's consumers.

In 2019, total conventional hydroelectricity generation was 275 billion kilowatt-hours or roughly 7% of total utility-scale generation in the United States. As the nation's only renewable resource that can provide a vast array of essential grid services like frequency response, voltage support, inertia, and blackstart, hydropower and pumped storage facilities are essential to the resilience and reliability of the nation's bulk electric system.

**Recommendations**

NHA supports efforts by the administration to identify and mitigate threats to the bulk electric system. Growing threats and vulnerabilities in the nation's supply chains warrant deliberate and effective action by government and industry stakeholders alike. We encourage DOE to closely collaborate with the energy industry, FERC, NERC and other relevant groups to develop adequate mechanisms that address grid vulnerabilities in a manner that is effective and fair across all technology types.

NHA submits the following recommendations:

- **Industry-Federal Government collaboration** – NHA encourages DOE to partner with industry in the implementation of the executive order. Public-private partnerships like the Electricity Information Sharing and Analysis Center (E-ISAC) and the Electricity

Subsector Coordinating Council (ESCC) have been very successful in leveraging the capabilities of industry with public resources like our intelligence community. In addition, the Dam Sector Coordinating Council (DSCC) has created information and guidelines that support this effort. DOE should either use an existing forum or create a new one to provide a space for the private sector, Joint Power Authorities, and other public power utilities to have continued input on implementation decisions and reviews of the program's efficacy. Any such forum should include all industry sectors that are impacted by the executive order and should have a diverse group of members that represent various ownership types and sizes of generating facilities.

- **Equal treatment** – Recognizing that many stakeholders on the energy supply side of the bulk power system compete with one another, any rules that are developed should not unduly impact certain energy production technology types over others without reasonable justification. Fair implementation across technologies will ensure that costs incurred or benefits realized do not discriminate and provide unwarranted advantages.
- **Flexibility in implementation** – NHA encourages DOE to provide adequate notice to the industry and sufficient time to mitigate or implement solutions to identified threats to the BPS. Some parts and equipment in the hydro supply chain can have long lead times for procurement. Providing reasonable notice following clear definitions of the requirements will allow the industry to plan accordingly for the cost and operational impacts of the necessary implementation measures. In addition, we encourage DOE to develop a framework, with input from industry, that will appropriately account for all possible solutions to vulnerable equipment. This approach should consider all effective mechanisms to allow hydro owners and operators to mitigate their existing equipment vulnerabilities as well replacement of vulnerable equipment.

NHA commends the Department for its diligence in supporting the security of the bulk-electric system. In particular, our members support the ongoing cybersecurity efforts within the Water Power Technologies Office (WPTO) and we encourage DOE to coordinate across the relevant Departmental offices. We look forward to working with the administration and providing further input into the rulemaking process where appropriate.

Sincerely,

Cameron Schilling  
V.P. Market Strategies  
and Regulatory Affairs  
National Hydropower Association  
601 New Jersey Ave NW, Suite 660  
Washington, DC 20001  
202.750.8409 (Direct)  
217.460.0503 (mobile) [cameron@hydro.org](mailto:cameron@hydro.org)