|  |  |  |  |
| --- | --- | --- | --- |
| NPRR Number | [1199](https://www.ercot.com/mktrules/issues/NPRR1199) | NPRR Title | Implementation of Lone Star Infrastructure Protection Act (LSIPA) Requirements |
|  |  |
| Date | October 17, 2023 |
|  |  |
| Submitter’s Information |
| Name | Bryan Sams |
| E-mail Address | bryan.sams@calpine.com |
| Company | Calpine Corporation |
| Phone Number | (512) 632-4870 |
| Cell Number |  |
| Market Segment | Independent Generator |

|  |
| --- |
| Comments |

Calpine Corporation (“Calpine”) appreciates the opportunity to file comments on Nodal Protocol Revision Request 1119, Implementation of Lone Star Infrastructure Protection Act (LSIPA) Requirements. Calpine looks forward to further discussions with ERCOT and other stakeholders on the proposed revision.

Power generators like Calpine operate within a complex regulatory framework that incorporates local, state and federal laws, while also navigating the continuing challenges of today’s global supply chain. Calpine appreciates ERCOT’s initial revision to align the Protocols with the new requirements added to LSIPA as part of Senate Bill (SB) 2013. However, the proposed Protocol revision as initially drafted is overly broad. The proposed definition of “Critical Electric Grid Equipment” encompasses nearly any piece of equipment at a facility, leading to increased compliance risk for Market Participants and procurement challenges that may put the grid at risk. To alleviate these issues, the proposed rule should narrowly and specifically define a finite number of items that constitute “Critical Electric Grid Equipment” under the Protocol and should include a specific list of vendors whose use could require Market Participants to file Form R under LSIPA if they provide services related to “Critical Electric Grid” Equipment.

Alternatively, ERCOT’s proposed rule should mirror the North American Electric Reliability Corporation’s Critical Infrastructure Protection Standards (“NERC CIP Standards”) which provide a framework for the identification and protection of critical cyber assets to support the reliable operation of the bulk electric system. Taking this approach also reduces the compliance risk on Market Participants given that most currently comply with NERC CIP Standards relating to critical cyber assets.

ERCOT should consider the following regarding the proposed rule’s definition of the terms “Critical Electric Grid Equipment”:

* Providing a narrow, detailed and finite list of items that constitute “Critical Electric Grid Equipment” and a list of vendors whose use could require Market Participants to file Form R under LSIPA if they provide services related to “Critical Electric Grid Equipment” under the proposed revision creates additional compliance burden on Market Participants and hinders the procurement of necessary equipment for timely investment, repair and maintenance of generation assets putting the grid at risk; and
* If ERCOT opposes providing a narrow, detailed and finite list of items that constitute “Critical Grid Equipment” and a list of vendors who use could require Market Participants to file Form R under LSIPA it can alleviate the compliance burden on Market Participants and grid risk by crafting the rule to mirror the NERC CIP Standards which have the same goal as LSIPA – grid reliability and security.

Before moving forward with the revision, ERCOT and Market Participants should carefully assess these risks and better understand the proposed rule’s effect on the grid. As drafted, the rule would undermine system reliability and security by burdening Market Participants with additional time consuming, broadly drafted, and burdensome regulations which slow down investment in the grid, instead of safeguarding the reliability and security of the ERCOT grid from bad actors.

Below we provide more detail regarding Calpine’s concerns and propose an alternative approach that mitigates these concerns while still addressing ERCOT’s desire to align the Protocols with the new requirements added to LSIPA by the legislature.

1. **The definition of “Critical Electric Grid Equipment” in NPRR1199 should be changed to contain a narrowed, detailed, and finite list of items that constitute “Critical Electric Grid Equipment” and the proposed rule should provide a list of vendors who require Market Participants to file Form R under LSIPA if they provide services related to “Critical Electric Grid Equipment**”.

 A critical factor to the protection of the ERCOT grid and delivery of safe, reliable, and affordable power is the ability of power generators to make and expedite timely investments in their power plants. In order to accomplish this goal, power generators should have clarity on what exactly constitutes “Critical Electric Grid Equipment;” for example, relays that interconnect at substations. As drafted, the definition of “Critical Electric Grid Equipment” is overly broad, would create additional compliance burden on Market Participants, and hinders the procurement of necessary equipment for timely investment, repair and maintenance of generation assets putting the grid at risk. Streamlining the definition of “Critical Electric Grid Equipment” to a narrowed, detailed and finite list of items meets the legislature’s intent while also providing clarity and flexibility to power generators and easing their regulatory burden. To that end, we propose that a narrowed, specific, and detailed list of items be created that constitutes “Critical Electric Grid Equipment;” for example, relays that interconnect at substations. Calpine looks forward to working with ERCOT through the stakeholder process to develop a narrow, specific, and detailed list of what constitutes “Critical Electric Grid Equipment”

 For similar reasons, ERCOT should include a specific list of vendors who require Market Participants to file Form R under LSIPA if they provide services related to “Critical Electric Grid Equipment.” Doing so, we eliminate the burden of Market Participants determining whether the filing of Form R is required and remove compliance risk.

1. **If ERCOT opposes a narrowed, detailed, and finite list of items that constitute “Critical Electric Grid Equipment” and a list of vendors who require Market Participants to file Form R under the LSIPA restrictions if they provide services related to “Critical Electric Grid Equipment**” **it should align the rule the NERC CIP Standards.**

 Alternatively, if ERCOT opposes incorporating a narrowed, detailed and finite list of items that constitute “Critical Electric Grid Equipment” and vendors who require Market Participants to file Form R under LSIPA if they provide services related to “Critical Electric Grid Equipment” the rule should mirror the NERC CIP Standards developed by FERC and NERC, namely CIP-002-CIP-009 which provide a cyber security framework for the identification and protection of critical cyber assets to support the reliable operation of the bulk electric system. Those rules identify the criticality of facilities (i.e., generation power plants, substations) as low, medium, or high impact for the reliability of the bulk electric system based on very specific criteria. Furthermore, the NERC CIP Standards specify which of these facilities’ cyber assets must be protected based on these impact ratings. The proposed rule should take the same approach – carefully examine each type of facility, provide a facility impact designation, and then specify which facilities and facility cyber assets within such facilities are subject to the proposed rule. As currently drafted, the proposed rule takes a one size fits all approach, applying the same standard across facilities with no risk assessment. Taking this approach, will align the rules with NERC CIP requirements, which most Market Participants already comply with. Additionally, taking this approach allows ERCOT to focus on those facilities who own cyber security assets which, if compromised, would threaten the reliability and security of the grid.

**Conclusion:**

Overall, providing a detailed and finite list of items that constitute “Critical Electric Grid Equipment” and a list of vendors whose use could require Market Participants to file Section 23, Form R, Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or LSIPA Designated Country, filing under LSIPA if they provide services related to “Critical Electric Grid Equipment” is the most practical approach and accomplishes ERCOT’s goals, limits the compliance burden for Market Participants. Further, it allows Market Participants to efficiently procure equipment for timely investment, repair and maintenance alleviating risk to the grid. As an alternative, Calpine supports aligning the rule with the NERC CIP Standards which also alleviates compliance risk.

|  |
| --- |
| Revised Cover Page Language |

None

|  |
| --- |
| Proposed Protocol Language Revision |

**1.3.2.1 Items Considered ERCOT Critical Energy Infrastructure Information**

(1) ECEII includes but is not limited to the following, so long as such information has not been disclosed to the public through lawful means:

(a) Detailed ERCOT System Infrastructure locational information, such as Global Positioning System (GPS) coordinates;

(b) Information that reveals that a specified contingency or fault results in instability, cascading or uncontrolled separation;

(c) Studies and results of simulations that identify cyber and physical security vulnerabilities of ERCOT System Infrastructure;

(d) Black Start Service (BSS) test results, individual Black Start Resource start-up procedures, cranking paths, and ERCOT and individual TSP Black Start plans;

(e) Information contained in Section 1.B. and Exhibit 1 to the Standard Form Black Start Agreement (Section 22, Attachment D, Standard Form Black Start Agreement), except for the Hourly Standby Price, Notice, and Certification sections. This includes, without limitation, the following information that could identify a Generation Resource as a Black Start Resource:

(i) Resource name;

(ii) Resource ID;

(iii) County where the Resource is located;

(iv) Interconnected substation;

(v) Resource MW capability; and

(vi) Tested next start units;

(f) Emergency operations plans, including ERCOT’s emergency operations plan and any emergency operations plan submitted to ERCOT pursuant to any PUCT rule or North American Electric Reliability Corporation (NERC) Reliability Standard;

(g) Detailed ERCOT Transmission Grid maps, other than maps showing only small portions of the ERCOT Transmission Grid such as those included in Regional Planning Group (RPG) Project ERCOT Independent Review reports;

(h) Detailed diagrams or information about connectivity between ERCOT’s and other Entities’ computer and telecommunications systems, such as internet protocol (IP) addresses, media access control (MAC) addresses, network protocols, and ports used; and

(i) Information contained in Section 23, Form R, Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from an LSIPA Designated Company, submitted to ERCOT that:

(i) Identifies Critical Electric Grid Equipment and Critical Electric Grid Services procured from an LSIPA Designated Company;

(ii) Describes how such procurement of Critical Electric Grid Equipment or Critical Electric Grid Services relates to the operation of the grid;

(iii) Provides an attestation as to whether such procurement of Critical Electric Grid Equipment or Critical Electric Grid Services will result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company; or

(iv) Identifies any measures taken to ensure that the procurement of Critical Electric Grid Equipment or Critical Electric Grid Services will not result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company; and

(j) Any information that is clearly designated as ECEII in writing by the Disclosing Party at the time the information is provided to Receiving Party, subject to the procedures set forth in paragraph (3) of Section 1.3.2.2, Submission of ERCOT Critical Energy Infrastructure Information to ERCOT.

**2.1 DEFINITIONS**

**Critical Electric Grid Equipment**

Equipment that, if destroyed, degraded, misused, or otherwise rendered unavailable would, within 24 hours or less of its mis-operation, non-operation, or required operation, adversely impact the reliable operation of ERCOT System Infrastructure. Redundancy of affected facilities, systems, and equipment shall not be considered when determining adverse impact. Critical Electric Grid Equipment also includes equipment used to access the ERCOT Wide Area Network (WAN) or Market Information System (MIS). An exhaustive list of Critical Electric Grid Equipment includes:

[LIST OF CRITICIAL ELECTRIC GRID EQUIPMENT]

**Critical Electric Grid Services**

Services provided by a vendor relating to the operation, control, maintenance, or use of Critical Electric Grid Equipment. An exhaustive list of vendors requiring submission of Section 23, Form R, Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or LSIPA Designated Country, by Market Participants include the following:

[“LIST OF VENDORS WHOSE USE MAY REQURIRE SUBMISSION OF FORM R BY MARKET PARTICIPANTS]

**ERCOT System Infrastructure**

The Transmission Facilities, distribution facilities, Resources, Settlement Only Generators (SOGs), and Emergency Response Service (ERS) Resources that comprise the ERCOT System and the physical and virtual cyber assets used to control the ERCOT System.

**Lone Star Infrastructure Protection Act (LSIPA) Designated Company**

An Entity that meets any of the company ownership (including Affiliates) or headquarters criteria listed in Texas Business and Commerce Code, Sections 113.002(a)(2)(A)-(b)(2)(B) or 2274.0102(a)(2)(A)-(b)(2)(B), added by Act of June 18, 2021, 87th Leg., R.S., Ch. 975 (S.B. 2116).

**Lone Star Infrastructure Protection Act (LSIPA) Designated Country**

China, Iran, North Korea, Russia, or a country designated by the Governor as a threat to critical infrastructure pursuant to Texas Business and Commerce Code, Sections 113.003 or 2274.0103, added by Act of June 18, 2021, 87th Leg., R.S., Ch. 975 (S.B. 2116).

**2.2 ACRONYMS AND ABBREVIATIONS**

**LSIPA** Lone Star Infrastructure Protection Act

***16.1.3 Market Participant Citizenship, Ownership, or Headquarters***

(1) An Entity is not eligible to register or maintain its registration with ERCOT as a Market Participant if the Entity:

(a) Is a person who is a citizen of a Lone Star Infrastructure Protection Act (LSIPA) Designated Country; or

(b) Is an LSIPA Designated Company.

(2) If an Entity meets any of the above listed criteria solely due to the citizenship, ownership, or headquarters of a wholly owned subsidiary, majority-owned subsidiary, or Affiliate, the Entity may be eligible to register as a Market Participant if it certifies that the subsidiary or Affiliate at issue will not have direct or remote access to or control of ERCOT’s Wide Area Network (WAN), Market Information System (MIS), or any data from such ERCOT systems.

(3) Any Entity that seeks to register as a Market Participant shall submit an attestation as reflected in Section 23, Form Q, Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters, certifying that the Entity complies with the above criteria.

(4) If there are changes to a Market Participant’s citizenship, ownership, or headquarters such that the Market Participant meets any of the prohibited company citizenship, ownership (including Affiliations), or headquarters criteria of an LSIPA Designated Company, then the Market Participant shall execute and submit a new attestation to ERCOT within ten Business Days of the change becoming effective.

(5) ERCOT may immediately suspend or terminate a Market Participant’s registration or access to any of ERCOT’s systems if ERCOT has a reasonable suspicion that the Entity meets any of the criteria described by paragraph (1) above.

***16.1.4* Market Participant Reporting of Critical Electric Grid Equipment and Services-Related Procurement**

(1) As a condition of registering and maintaining registration with ERCOT as a Market Participant, an Entity shall report to ERCOT the purchase, lease, or receipt (referred to in this Section as a “procurement”) of any Critical Electric Grid Equipment or Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or an LSIPA Designated Country. This includes, but is not limited to, a procurement of Critical Electric Grid Equipment or Critical Electric Grid Services that were manufactured, produced, created, or otherwise provided by an LSIPA Designated Company and subsequently sold to the Entity by a non-LSIPA Designated Company. For each reported procurement, the Entity shall attest that the procurement will not result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or an LSIPA Designated Country, excluding access specifically allowed by the Entity for product warranty and support purposes.

(2) Market Participants and Entities applying for registration with ERCOT shall submit a report and attestation, on the form reflected in Section 23, Form R, identifying any procurement described in paragraph (1) above that occurred during the following time periods:

(a) For a Market Participant, procurement(s) that were made on or after June 8, 2018; and

(b) For an Entity applying for registration with ERCOT, procurement(s) that were made within the five years preceding the date it signed the Standard Form Agreement.

(3) Market Participants shall submit a report and attestation, on the form reflected in Section 23, Form R, identifying any procurement(s) described in paragraph (1) above that occur after the date(s) of the procurements reported pursuant to paragraph (2) above and have not already been reported pursuant to this Section.

(4) Reports and attestations submitted pursuant to paragraph (3) above shall be submitted within 60 days of the date of the earliest procurement identified in the report.

**ERCOT Nodal Protocols**

**Section 23**

**Form Q: Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters**

**TBD**

**Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters**

**Legal Name of Market Participant (Applicant):**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legal Address of Applicant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Applicant DUNS Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Check the one box that applies [do not check both boxes]:

1. With respect to the above referenced Applicant, I hereby attest that:

 NONE of the following statements in paragraphs (A) - (D) are TRUE.

 ONE OR MORE of the following statements in paragraphs (A) - (D) are TRUE.

(A) The Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant, is owned by:

(i) Individuals who are citizens of a Lone Star Infrastructure Protection Act (LSIPA) Designated Country; or

(ii) A company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of an LSIPA Designated Country; or

(B) The majority of stock or other ownership interest of the Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant is held or controlled by:

(i) Individuals who are citizens of an LSIPA Designated Country; or

(ii) A company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of an LSIPA Designated Country; or

(C) The Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant is headquartered in an LSIPA Designated Country; or

(D) The Applicant is a person and is a citizen of an LSIPA Designated Country.

**If you checked the box for “ONE OR MORE of the following statements in paragraphs (A) - (D) are TRUE” solely because a wholly-owned subsidiary, majority-owned subsidiary, or Affiliate meets any of the citizenship or headquarters criteria listed above, then please answer question 2 below.**

2. With respect to the subsidiary or Affiliate at issue, check the one box that applies [do not check both boxes]:

 The subsidiary or Affiliate will NOT have direct or remote access to or control of ERCOT’s Wide Area Network (WAN), Market Information System (MIS), or any data from such ERCOT systems.

 The subsidiary or Affiliate will have direct or remote access to or control of ERCOT’s WAN, MIS, or any data from such ERCOT systems.

By signing below, I certify that I am authorized to bind the Applicant listed above, that I am authorized to execute and submit this attestation on behalf of Applicant, and that the statements contained herein are true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

**ERCOT Nodal Protocols**

**Section 23**

**Form R: Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or LSIPA Designated Country**

**TBD**

**Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company** **or LSIPA Designated Country**

This form should be submitted to LSIPA@ercot.com in accordance with the deadlines provided in Section 16.1.4, Market Participant Reporting of Critical Electric Grid Equipment and Services-Related Procurement.

**Legal Name of Applicant or Market Participant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legal Address of Applicant or Market Participant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Applicant or Market Participant DUNS Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Check the one box that applies [do not check both boxes]:

1. With respect to the above referenced Applicant or Market Participant, I hereby attest that the following statement is either true or not true, as indicated below:

The Market Participant or Applicant has procured Critical Electric Grid Equipment or Critical Electric Grid Services from an LSIPA Designated Company or LSIPA Designated Country within one of the time periods described in paragraph (2) or (3) of Section 16.1.4.

 The above statement is TRUE.

 The above statement is NOT TRUE.

**If you checked the box for “TRUE” in question 1, then please complete sections 2 and 3 below.**

2. **List each procurement of Critical Electric Grid Equipment or Critical Electric Grid Services from an LSIPA Designated Company or LSIPA Designated Country that occurred in the time periods described in paragraph (2) or (3) of Section 16.1.4 and has not already been reported to ERCOT under Section 16.1.4.** **For each procurement, please provide:**

**a. A description of the Critical Electric Grid Equipment or Critical Electric Grid Service procured:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**b. The name of the LSIPA Designated Company from which the procurement was made and the LSIPA Designated Country with which it is associated (or, if applicable, the name of the LSIPA Designated Country from which the procurement was made):**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**c. The date on which the procurement was made:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**d. A general description of how each piece of equipment or service relates to the operation of ERCOT System Infrastructure:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**e. A description of the measures taken to ensure that the procurement will NOT result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or an LSIPA Designated Country, excluding access allowed by the Applicant or Market Participant for product warranty and support purposes:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

3. With respect to the procurement at issue:

 I attest that the following procurement(s) described in my response to question 2 above will NOT result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country, excluding access specifically allowed for product warranty and support purposes:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 I attest that the following procurement(s) described in my response to question 2 above WILL result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

4. If the Applicant or Market Participant attests that a procurement from an LSIPA Designated Company or an LSIPA Designated Country WILL result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country, then please describe the access to or control of Critical Electric Grid Equipment that was created by the procurement. Please also list any actions the Applicant or Market Participant has taken to mitigate the risks associated with such access or control:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

By signing below, I certify that I am authorized to bind the Applicant or Market Participant listed above, that I am authorized to execute and submit this attestation on behalf of such Applicant or Market Participant, and that the statements contained herein are true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date