Federal Energy Regulatory Commission

FERC Online (FOL)
Privacy Impact Assessment (PIA)

October 31, 2017

Federal Energy Regulatory Commission
Information Security & Systems Assurance Division
888 First Street N.E.
Washington, D.C. 20426

Document Control

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1 INTRODUCTION

1.1 PURPOSE AND SCOPE

For all systems subject to the Assessment and Authorization (A&A) process, a Privacy Threshold Assessment (PTA) must be performed. The PTA process consists of the System Owner (SO), or delegate, replying to a survey provided by the Information Security and Systems Assurance Division (ISSAD) team to determine if the system contains any Personally Identifiable Information (PII). When the system contains PII, then a full Privacy Impact Assessment (PIA) must be performed. The PTA satisfies the assessment requirement when the system does not contain PII.

Upon reviewing the survey results for the Federal Energy Regulatory Commission (FERC) Online (FOL), it has been determined that this system **DOES** contain PII and a PIA is required.

A questionnaire from the SurveyMonkey tool is the basis for addressing the PII requirement for FERC. The questionnaire results are attached in Appendix A.

2 SIGNATURES

2.1 PRIVACY OFFICER

I confirm that:

- The above observations are accurate according to the data that has been collected and reviewed
- A reasonable amount of due diligence was taken to make our conclusions

Signature: CHRISTINA HANDLEY

Digitally signed by CHRISTINA HANDLEY
DN: c=US, o=U.S. Government, ou=Federal Energy Regulatory Commission, cn=CHRISTINA HANDLEY, 0.9.2342.19200300.100.1.1=89901000210482
Date: 2017.11.03 16:58:41 -04'00'

11/3/2017

Christina Handley — Date

Senior Agency Official for Privacy (SAOP)

2.2 SYSTEM OWNER

I confirm that:

- I am in agreement with the above categorizations
- I am aware that the system contains the data as described above.

Signature: GERALD THOMAS

Digitally signed by GERALD THOMAS
DN: c=US, o=U.S. Government, ou=Federal Energy Regulatory Commission, cn=GERALD THOMAS, 0.9.2342.19200300.100.1.1=89901000203741
Date: 2017.11.03 12:04:18 -04'00'

11/3/2017

Gerald Thomas — Date

System Owner

APPENDIX A. PIA QUESTIONNAIRE RESULTS

SECTION I: DATA IN THE SYSTEM

1. Generally describe the information to be used in the system in each of the following categories: Public Individual, Employee, Contractor, Other.

   (a) Public Individual: See below

   (b) Employee and Contractor: See below

   (c) Other: See below

The Federal Energy Regulatory Commission (FERC) Online (FOL) system is a suite of integrated web-based and desktop thick-client applications that is the user interface for the submission of electronic documents by the public to FERC. In addition, the FOL System facilitates pending submissions to be processed by the Secretary of the Commission staff, and is utilized by the FERC Program Office staff.

The FOL website provides a conspicuous notice to users that states "FERC Online does not require the submission of personally identifiable Information (PII) (e.g. social security numbers, birthdates, and phone numbers), and FERC will not be responsible for any PII submitted to FERC Online, including any accidental or inadvertent submissions of PII."

- The following FOL electronic form subsystems are used by the public and customers. These subsystems use one company registration repository for information.
- eComment: Collects name, address (street, city, state, and zip code) and e-mail address. This form is completed by individuals submitting comments related to hydroelectric license/re-license proceedings, pre-filing activity for planned natural gas projects, applications for authorization to construct a natural gas pipeline.
- eRegisteration: Collects first and last name (middle initial is optional) and e-mail address.
- eFiling: Collects first and last name (middle initial is optional) and e-mail address.
- eSubscription: Collects first and last name (middle initial is optional) and e-mail address.
- eService: Collects contact names, mailing addresses, and email addresses, where available, of officials and individuals who have been recognized by FERC as official parties (intervenors) to specific docket and project numbers. Names and mailing addresses of contacts on the service list and contacts that have been added to the mailing list (non-intervenors) for a specific docket or project number.

  eTariff: The Office of Energy Market Regulations uses eTariffs to validate tariff filings from the industry. It allows industry to view the tariffs they have filed. A full text search can be executed to see the status of tariff provisions and eLibrary issuances/filings by the Commission.
- Electronic Library (eLibrary): A record information system that contains electronic versions of documents issued by FERC from 1989 to present and documents received and issued by FERC such as a description/index of documents from 1981-present; microfilm and aperture cards of documents for 1981-1995; scanned images of paper documents from 1995-present;

and native files electronically submitted from November 2000-present. In addition, e-Library contains submission (i.e., eFilings) from regulated entities, and public comment.

- Company Registration: Permits a company to request a company identifier, modify information associated with an existing company identifier, and request a new password. The requested data and the associated company identifier will be used by the Commission to identify the company making a tariff filing, notify the regulated entity that a tariff filing has been made in its name and to create a list of regulated entities.
- Electric Quarterly Report (EQR): The Commission requires entities with market based rates, among others, to file an EQR with the Commission through the EQR application. The EQRs contain information about wholesale sales of energy and transmission made by public utilities and certain non-public utilities

The following internal FOL web applications are used by FERC employees and contractors:

- Public Viewer: Customers are able to view the status of tariff submittals by their company or other companies through Public Viewer.
- Forms Suite: FERC uses various electronic forms for information collection purposes as it pertains to electric utility, natural gas pipelines, oil pipelines, hydropower development, etc.
- eTariff Staff Client: Client-based application used by Office of Energy Market Regulation (OEMR) analysts to accept, reject or suspend a tariff requests sent electronically by customers. The application is also used by all other FERC offices to research and locate tariff information.
- Program Office Administrator (POA): Web-based application used by designated FERC employees to approve or reject companies that are registering in preparation for filing tariffs, EQRs or Form 549D - *Quarterly Transportation & Storage Report for Intrastate Natural Gas and Hinshaw Pipelines*
- Activity Tracking Management System (ATMS): Tracks activities that include docketed workload, non-docketed workload (related to docketed workload or projects), other non-docketed workload (such as work on an interagency task force), and enabling activities that relate primarily to administrative workload representing all activities and resources reported in the Commission's business plan.
- Data and Management Systems (DAMS): Used to maintain data collected in support of the Division of Dam Safety and Inspection. It is a repository for hydroelectric dams which are under FERC jurisdiction. Apart from storing the information about hydroelectric dams and the related infrastructure, DAMS is also used for maintaining travel, inspection, dam safety information and the workload of FERC engineers assigned to each dam. This data is used by FERC Headquarters staff and by staff located in each of the division's five regional offices.
- Virtual Agenda (VA): Allows authorized FERC staff to make requests for dockets to be reviewed and voted on by the Commissioners. Users may request for the dockets to be reviewed and acted upon using one or more formal processes.

The Virtual Agenda system contains information pertaining to the nature and time of proposed actions by the Commission. This information is deliberative and confidential.

- Public Issuance Workflow (PIW): Allows program offices within FERC to develop, review, submit, and publish their issuance documents to eLibrary.
- FERC Online Administration (FOLA) Application Database (Application & Report): The FOLA application is used as the gateway for information filed by the public into the Commission's Information Systems. Documents are submitted to FERC either electronically via the FERC Online eFiling system or in non-electronic format (i.e., paper or other media such as CD-ROM, floppy disk, aperture card).
- Office of Energy Projects (OEP-IT): Application tracks external requirements for licensed dams.
- Business Objects Infoview: Web based reports viewer application used by FERC employees that collects and presents data from FERC applications used by offices within FERC.
- Electronic Filing Report: Web based report located on FERCNet. It provides a listing of any electronic filing types submitted by customers.
- FERC Annual Charge System (FACS): Calculates and generates hydropower annual administrative and lands bills as well as oil, gas and electric bills.
- eForms Admin: Single entry point for customers to access the FERC's electronic forms applications.
- FERC Parking & Transit Subsidy System: A web-based application that allows staff to submit applications for parking to apply for reimbursement through the transit subsidy program. Federal employees are able to electronically register their vehicles and request a parking space in the FERC garage.
    - Parking Application and Transit Subsidy application collects the following information:
        - Name, type of employee, agency address, car make, model, color and license plate number, etc.

2. What are the sources of the information in the system?

   The sources of the information in the system are captured from the different system users such as public individuals, customers, employees and contractors.

3. What FERC files and databases are used?

   FERC uses network storage to share, store, and secure FERC information. These network drives are available to all FERC users and access is restricted using Active Directory and Least Access / Least Privilege rights assignment.

Each of the FOL subsystems identified in Question #1 is consolidated in a single Microsoft Structured Query Language (SQL) server database (DB) called FOLDB.

4. What Federal agencies are providing data for use in the system?

   No federal agencies provide data for use in FOL.

5. What State and Local Agencies are providing data for use in the system?

   State public utility commissions submit tariff filings and rate change applications.

6. What other third party sources will data be collected from?

   Data will not be collected from other third-party sources.

7. What information will be collected from the employee, contractor, and/or public individual?

FOL collects the following types of information from the public, customers, employees and contractors:

- Name, address (street, city, state, and zip code) and e-mail address from individuals when registering, filing, subscribing, or submitting comments related to hydroelectric license/re-license proceedings
- Pre-filing activity and information for planned natural gas projects
- Applications for authorization to construct a natural gas pipeline
- Financial and operational information from major interstate natural gas pipelines subject to the jurisdiction of FERC
- Annual report of major electric utility information
- Information pertaining to the nature and time of proposed actions by the Commission

See Section I., Question #1 for a mapping of data elements to the specific FOL system/website application.

8. How will data collected from sources other than FERC records and the identified individual be verified for accuracy?

   FERC collects information directly from private citizens, federal agencies, and state public utility commissions with the expectation that the information provided is accurate at the time of submission.

9. How will data be checked for completeness?

   For most of the FERC Online forms, there are required fields that have to be completed before submitting. Additionally, FERC staff reviews and approves the information that is filed per published statutory requirements.

   In addition, there are validation processes for FERC filings to ensure what is being reported is accurate and complete.

10. Is the data current? (yes or no)

    Yes, at the time of filing.

11. If the data is current, how do you know?

    FERC relies on the information it receives from a private citizen, utility company, employee, federal agency, or state public utility commissions to be current per published statutory requirements and to notify the Commission if information submitted is inaccurate or needs to be updated.

12. Are the data elements described in detail and documented?

    Not applicable.

13. If the data elements are documented in detail, what is the name of the document?

    Not applicable.

SECTION II: ACCESS TO THE DATA

1. Who will have access to the data in the system? (Select: users, managers, system administrators, developers, other [specify]

   Users that have access to FOL are identified below.

2. Comments: The following are users who access FERC Online:

Guest or Public User	A person who accesses the FOL web search and retrieval components without logging in.
DOE Users (accounts exist, but are disabled)	Federal employees or contractors at Department of Energy who have access to Form 567 (*Annual Report of System Flow Diagrams and Capacity*)filings with a security designation of Critical

	Energy/Electric Infrastructure Information (CEII).
FERC/contractor Staff (Headquarter or Regional Office)	A logged-in user from FERC (or its contractors) with approval for access to specific FOL CEII documents and/or Privileged documents.
FERC Online Operations	Contractor staff that performs scanning, image quality control (QC), data entry and QC, and other pre-production and post-production functions. The staff also fulfills print and retrieval requests submitted by FERC staff through the web interface.
FERC and contractor Docket Staff	Staff members who process material that is electronically filed via the internet for immediate release to production. Future roles include creating new docket numbers (both root dockets and sub docket numbers) using the FOLA application
FERC/contractor Registry Staff	Staff members who process issuances and enter meta-data in fields, such as comment due date.
FERC OSEC staff	Staff members who process issuances and enter meta-data in such as the Federal Register field.
PRR Contractor	Contractor staff that fulfill print and retrieval requests submitted by public users through the Web interface.
Administrative	System administrative staff that are responsible for the operation of the system and provide ad-hoc data/document correction.

3. How is access to the data by a user determined?

   For most of the systems/applications, access to the data is determined by the users' role (i.e., role-based access), job function and business justification. Access is controlled through an access control list.

eLibrary – Employees have access to all public files in eLibrary. When a member of the public seeks access to a document that is privileged or CEII, he/she must follow FERC policy as provided on ferc.gov Freedom of Information (FOIA) site.

All documents in eLibrary are organized by library, e.g., hydropower. Once access to a non-public document is approved, it would be provided in hard copy.

4. Are criteria, procedures, controls, and responsibilities regarding access documented?

   Yes.

5. Comments: Standard Operating Procedures (SOPs) are in place, and privacy and security controls are documented in the risk management profile for each system/application relevant to access controls, rights and privileges.

6. Will the users' access to all data on the system be restricted?

   Yes.

7. Please Explain:

   Users' access depends on the program office per system/application. There are documents in eLibrary that are publically accessible with no limited access. However, there are certain systems/applications within the Office of Enforcement (OE) and the Office of Energy Infrastructure Security (OEIS), as well as other offices, where access is restricted.

   In addition, ATMS, Virtual Agenda, PIW, DAMS, and POA are accessible only to federal staff. These systems/applications are workload tracking systems that program offices use to track assigned tasks and activities.

8. What controls are in place to prevent the misuse (for example, browsing) of data by those having access?

   Access controls, audit controls, and Websense security software are used to monitor Internet requests, log activity, apply Internet usage filters and report on activities.

   Prior to being granted access to FERC information technology (IT) and data, employees are required to read the "Rules of Behavior for Users of Information Technology" or "Rules of Behavior for Privileged Users" and sign the "Acknowledgement of Rules of Behavior for IT Users." Users acknowledge they are personally responsible for their actions, understand their role as a network user, and will comply with FERC's Rules of Behavior (ROB) for *IT Users Policy*.

The ROB's responsibilities section addresses protecting information by ensuring the availability, integrity, authentication, confidentiality, and non-repudiation of the data. In addition, this section covers providing access to sensitive information after ensuring the parties have the proper authorization and need-to-know. The ROB informs the user of penalties that can be imposed due to non-compliance.

In addition, SOPs address acceptable use and proper document handling.

9. Do other systems share data or have access to data in this system?

   No.

10. If yes, please explain.

    Not applicable.

11. Who will be responsible for protecting the privacy rights of the following individuals affected by the interface: Employees, Contractors, and Public Individuals?

    All FERC employees and contractors are responsible for protecting the privacy rights of other employees, contractors and the public.

12. Will any other agencies share data or have access to data in this system? (yes or no)

    Yes.

13. Specify any other agencies (International, Federal, State, Local, or Other) that share or have access to the system's data:

    State public utility commissions submit tariff filings and rate change applications.

14. How will the data be used by the agency?

    The data in the system will be used to support FERC's mission to "assist consumers in obtaining reliable, efficient and sustainable energy services at a reasonable cost through appropriate regulatory and market means and to perform necessary day-to-day Commission functions."

15. Who is responsible for assuring proper use of the data?

    Proper use and handling of data is governed by the program office and is based on policies and SOPs in place.

16. How will the system ensure that agencies only get the information to which they are entitled?

    To gain access to the FOL application, individuals and companies must first register online. Users, for example, may subscribe to specific dockets and may have immediate access to the correspondence or documents in eLibrary. However, before FERC releases data that is not generally available to the general public, documents must go through a vetting process prior to release.

    In addition, FOL has various electronic forms that are completed by individuals or companies. Information requested by electronic form is a structured set of "questions" to ensure that the information requested and provided is approved for consumption and released by the Commission.

    The information that FERC shares with other federal agencies and state public utility commissions are that which is in compliance with the Commission's statutes, rules, orders and policy.

SECTION III: ATTRIBUTES OF THE DATA

1. Is the use of the data both relevant and necessary to the purpose for which the system is being designed? (yes or no)

   Yes.

2. Explain the relevance and necessity of the use of the data to the purpose(s) of the system:

   The system is designed to support the general functionality of FERC. The mission of FERC is to "assist consumers in obtaining reliable, efficient, and sustainable energy services at a reasonable cost through appropriate regulatory and market means." The use of the data is relevant and necessary to support FERC's mission.

3. Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected? (yes or no)

   No.

4. Comments: The system will not derive new data or create previously unavailable data about an individual through aggregation from the information collected.

5. Will the new data be placed in the individual's records? (yes or no)

   No.

6. Comments: Not applicable.

7. Can/will the system make determinations about identified individuals (members of the public, employees, etc.) that would not be possible without the new data? (yes or no)

   No.

8. Comments: Not applicable.

9. How will the new data be verified for relevance and accuracy?

   Not applicable.

10. If data is being consolidated, what controls are in place to protect the data from unauthorized access or use?

    Data is being consolidated, for example, in eLibrary. The information contained in eLibrary is accessible to the general public.
    However, based on the proprietary and sensitivity (e.g., CEII) of specific documents in eLibrary, these documents are reviewed, classified and vetted prior to release, if at all.

    The systems identified in Section I, Question One of this PIA, have security access controls and role-based access controls in place to protect the data from unauthorized access or use.

11. If processes are being consolidated, are the proper controls remaining in place to protect the data and prevent unauthorized access?

    Yes.

12. Please explain

    There are security access controls and role-based access controls in place to protect the data and prevent unauthorized access.

13. How will the data be retrieved?

    Data in eTariff for example, is retrieved by conducting a full text search to see the status of tariff provisions and eLibrary issuances/filings by the Commission.

    Data in eLibrary is retrieved by running a general search, to include, but is not limited to: Date Range (e.g., filed or posted date), Category (submittal and/or issuance), Library (electric, natural gas, oil, hydro, rulemaking, general), and Docket number.

14. Can the data be retrieved by personal identifier?

    No.

15. If yes, please explain:

    Not applicable.

16. What are the potential effects on the due process rights of employees, contractors, and public individuals of the consolidation and linkage of files and systems; derivation of data; accelerated information processing and decision making; use of new technologies?

    As stated on FERC.gov/about "Due Process and Transparency: Paramount in all of its proceedings is the Commission's determination to be open and fair to all participants."

17. How are these potential effects to be diminished?

    Not applicable.

SECTION IV: MAINTENANCE OF ADMINISTRATIVE CONTROLS

1. Explain how the system and its use will ensure equitable treatment of employees, contractors and public individuals.

   The system or use of the system is not capable of unequal treatment of employees, contractors and public individuals.

   There are Commission policies and SOPs in place about how to handle data collected, used, disseminated, and shared at FERC.

2. If the system is operated in more than one site, how will consistent use of the system and data be maintained in all sites?

   FOL resides and is operated at FERC Headquarters in Washington, D.C. with replication to the Alternate Computer Facility.

3. Explain any possibility of unequal treatment of individuals or groups.

   There are no possibilities of unequal treatment of individuals or groups because there is no disparate outcomes based on information the system collects.

4. What are the retention periods of data in this system?

   Federal Energy Regulatory Commission

FRS II - Records of the Commission
Part II - Records of the Secretary of the Commission
Electronic Registration and Distribution Services

1. Inputs. E-mail addresses, passwords, names, addresses, company affiliations, information from correspondence and request forms, and other records relating to establishment or changes in distribution lists.
TEMPORARY. Delete destroy after successfully entered and verified (GRS 13, Item 4.a.)

2. Master Database. Mail or Service Lists.
TEMPORARY. Update as needed. Delete when registration is cancelled, no longer valid, or when no longer needed, whichever is soonest.

3. Outputs. Copies of e-mail notifications triggered by filings made in subscribed for categories or to other interested persons, and notifications of service.
TEMPORARY. Destroy when 3 months old. (GRS 23, Item 7)

4. System Documentation.
TEMPORARY. Destroy when superseded or obsolete. (GRS 20, Item 11.a.1)

5. What are the procedures for eliminating the data at the end of the retention period? Where are the procedures documented?

   The National Archives Records Administration Records Schedule and the FERC Comprehensive Records Disposition Schedule provides mandatory disposition instructions regarding how to maintain the agency's operational records and what to do with them when they are no longer needed for current business.

   The disposition instructions state whether individual series of records are "permanent" or "temporary," as well as how long to retain the records. Records with historical value, identified as "permanent," are transferred to the National Archives of the United States. All other records are identified as "temporary" and are eventually destroyed in accordance with the Records Schedule.

6. While the data is retained in the system, what are the requirements for determining if the data is still sufficiently accurate, relevant, timely, and complete to ensure fairness in making determinations?

   The eFiling system electronically 'date stamps' each incoming filing and staff manually checks and approves according to SOPs. Similarly, staff manually date stamps each incoming hard copy filing before indexing and scanning into eLibrary. There are many checks in place governed by their SOPs.

7. Is the system using technologies in ways that the FERC has not previously employed (e.g. Caller-ID)? (yes or no)

   Yes.

8. Comments: FERC program offices, such as Office of Electric Reliability and OEIS, are using new technologies not previously used to analyze market trends and to connect different data points.

9. How does the use of this technology affect the privacy of the employee, contractor and public individual?

   New technologies deployed at the Commission to check market trends and analyze data points do not involve PII or have the ability to affect an individual's privacy.

10. Will this system provide the capability to identify, locate, and monitor individuals? (yes or no)

    No.

11. Please explain:

    Not applicable.

12. Will this system provide the capability to identify, locate, and monitor groups of people?

    No.

13. If yes, please explain:

    Not applicable

14. What controls will be used to prevent unauthorized monitoring?

    Access controls and role-based access controls as described in the System Security Plan will be used to prevent unauthorized monitoring.

15. Under which System of Records Notice (SORN) does the system operate? Please provide both the number and the name.

    Not applicable. FOL is not a system or records where information is retrieved by a personal identifier.

16. If the system is being modified, will the SORN require amendment or revision?

    Not applicable

17. Please explain:

    Not applicable.

18. What opportunities have individuals been given to decline to provide information (where providing information is voluntary)?

    Not applicable. All information requested is statutorily required. For example, information required in rate filings are mandated by statute must be submitted.

19. What opportunities have individuals been given to consent to particular uses of the information (other than required or authorized uses), and how do such individuals grant that consent?

    Not applicable.