

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE RESOLUTION**

**No. 361**      Session of  
2001

INTRODUCED BY WOGAN, NOVEMBER 20, 2001

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, NOVEMBER 20, 2001

A RESOLUTION

1 Directing the Pennsylvania Public Utility Commission to conduct  
2 a comprehensive study of the safety and security policies  
3 adopted by utility service providers that protect critical  
4 utility infrastructures, including operative and nonoperative  
5 nuclear power plant facilities, private electric and natural  
6 gas generating plants and independent electric system  
7 operators and to recommend prudent strategies to enhance the  
8 standards for the physical security of utility facilities  
9 that create, possess, handle, store or transport energy in  
10 this Commonwealth.

11 WHEREAS, The September 11, 2001, terrorist attacks on the  
12 World Trade Center in New York City, the Pentagon in Washington,  
13 D.C., and the plane crash in Somerset County, Pennsylvania,  
14 clearly demonstrate that neither the United States nor the  
15 Commonwealth is immune from orchestrated acts of terrorism; and

16 WHEREAS, The threats of potential terrorist attacks against  
17 the United States' utility infrastructures create civil unrest  
18 and are occurring more frequently since the September 11, 2001,  
19 attack; and

20 WHEREAS, Maintaining the safety and integrity of the utility  
21 infrastructures of this Commonwealth remains a high priority of  
22 the General Assembly; and

1       WHEREAS, Terrorist attacks that incapacitate or destroy  
2 utility infrastructure systems and operating systems compromise  
3 the health, safety and welfare of the citizens of this  
4 Commonwealth; and

5       WHEREAS, The protection of the critical utility  
6 infrastructures in this Commonwealth is necessarily a shared  
7 responsibility and partnership between owners, operators and  
8 State Government; and

9       WHEREAS, The Pennsylvania Public Utility Commission is  
10 responsible for developing energy forecasts, conducting audits,  
11 enforcing the Public Utility Code and inspecting utility  
12 facilities to assure the safe, reliable and adequate delivery of  
13 utility service to the citizens of this Commonwealth; and

14       WHEREAS, The Pennsylvania Public Utility Commission is  
15 responsible for evaluating programs that ensure the stability of  
16 complex and interdependent utility systems in this Commonwealth  
17 and for developing policy recommendations that support the  
18 continuous operation of interconnected utility infrastructures;  
19 and

20       WHEREAS, Any physical disruption of the operation of critical  
21 utility infrastructures in this Commonwealth must be rare,  
22 brief, geographically limited in effect, manageable and  
23 minimally detrimental to the economy, human and government  
24 services and the security of our State and nation; and

25       WHEREAS, The General Assembly deregulated Pennsylvania's  
26 electricity market in 1996 and its natural gas market in 1999,  
27 which resulted in privately owned and operated utility  
28 generating facilities; and

29       WHEREAS, PJM Interconnection is a privately managed limited  
30 liability corporation which operates the largest centrally

1 controlled dispatched electric system in North America,  
2 providing 23 million consumers in five states with reliable  
3 electric service; and

4 WHEREAS, The United States Nuclear Regulatory Commission  
5 regulates commercial nuclear power reactors, nonpower research,  
6 testing and training reactors, fuel cycle facilities, medical,  
7 academic and industrial uses of nuclear materials and the  
8 transport, storage and disposal of nuclear materials and waste;  
9 therefore be it

10 RESOLVED, That the General Assembly direct the Pennsylvania  
11 Public Utility Commission, in cooperation with other Federal and  
12 State agencies, the United States Nuclear Regulatory Commission,  
13 regulated public utilities, privately owned and municipally  
14 owned utility companies and independent grid system operators to  
15 conduct a comprehensive review and evaluation of the safety and  
16 security policies implemented in and around the utility  
17 infrastructures in this Commonwealth since the September 11,  
18 2001, terrorist attack; and be it further

19 RESOLVED, That the Pennsylvania Public Utility Commission  
20 analyze existing utility infrastructure protection and  
21 continuity programs and utility-specific proposals to implement  
22 counterterrorism threat assessment and risk mitigation policies;  
23 and be it further

24 RESOLVED, That the Pennsylvania Public Utility Commission  
25 report its findings and recommendations to the House of  
26 Representatives on or before July 15, 2002.