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Draft Meeting Minutes  
Maryland Cybersecurity Council  
Subcommittee on Critical Infrastructure  
Friday, August 22, 2025  
11:00 am – 12:00 pm  
Virtual Meeting

Subcommittee Attendance (6/8)

John Abeles (chair), Cyril Draffin (vice chair), Dr. David Anyiwo, Terri Jo Hayes, Ryan Hsu, and Markus Rauschecker.

Invited Presenter

Ben Abramovitz (Director, Cybersecurity, Public Service Commission) and Christopher Nieves (Cybersecurity Specialist, Public Service Commission)

Staff

Howard Barr (Assistant Attorney General and Principal Counsel, Office of the Attorney General, DoIT) and Dr. Greg von Lehmen (University of Maryland Global Campus and Staff to the Maryland Cybersecurity Council).

Other Officials in Attendance

Delegate Kenneth Kerr (District 3)

Meeting Summary

1. Mr. Abeles welcomed the subcommittee members, Delegate Kerr, the guests from the Public Service Commission, and reviewed the agenda. He confirmed that a quorum of the subcommittee was present and noted that the recording and transcript of the December 6, 2024 meeting had been posted.
2. He then invited Mr. Abramovitz and Mr. Nieves to brief the subcommittee on the distributed energy resource (DER) cybersecurity regulations that the Commission is considering. He observed that Mr. Abramovitz had provided draft regulations and the NARUC cybersecurity baselines just prior to the meeting and encouraged the subcommittee to review those documents in conjunction with the information offered during this meeting. The following key points were made in the course of the briefing which unfolded in part as a result of questions from Mr. Hsu, Delegate Kerr, and Terri Jo Hayes.
  - a. Responsive to changes in the industry, the PSC cybersecurity staff have been directed to conduct research into the DERs, DERAs, and their cybersecurity requirements. “Distributed energy resources” or DERs include wind and solar generation of energy,

micro grids, virtual power plants, and energy storage. “Distributed energy resource aggregator” or “DERA” means an entity that aggregates one or more distributed energy resources into VPPs to provide grid services to Maryland retail markets or PJM Interconnection, LLC wholesale markets. Expert organizations, like the Argonne Idaho National Labs, were consulted as part of this research effort. Additionally, a partnership with the University of Maryland, Baltimore County has been established to conduct applied research into DERs and DERA cybersecurity as part of an internship program.

- b. A key issue is the authority of the PSC to regulate DERAs. Currently, the Commission has the authority to license DERAs, and this presents an avenue for the Commission to include compliance with cybersecurity requirements as a condition to operate. These requirements would be defined as the current edition of the NARUC cybersecurity baselines. The question, however, is what the enforcement mechanism would be to ensure ongoing compliance with the cybersecurity requirements. The draft regulations answer this question by placing responsibility for enforcement in the first instance on the electric companies connecting to these DERs. Utilities can report any DERA that fails to comply with cooperation or adherence standards outlined in utility contracts, agreements, tariffs, or COMAR to the Commission. Non-compliant DERAs may face fines or license revocation, acting as a secondary enforcement mechanism.
  - c. An early concern of the electric companies is whether they actually have the authority to cut off a DER/DERA not in ongoing compliance with cybersecurity requirements and the inclusion of non-interconnected DERs within the scope of these draft regulations. Severing a relationship could have wider consequences for the grid. Companies also raised the question about the impact on their rates if they must incur costs to oversee compliance by DERs/DERAs.
  - d. The PSC has called for comments on the draft regulations through the first week of September. The report on the regulations capturing stakeholder feedback is due October 11. It is anticipated that that report will request an additional 12 to 18 months to further investigate the issues.
  - e. Mr. Abramovitz concluded by inviting comments from the subcommittee or its individual members during this initial round.
3. Mr. Abeles then turned to other business on the agenda.
- a. He asked the subcommittee to consider the formation of a healthcare ecosystem workgroup to examine the issue of ecosystem resilience. He referenced the Change Healthcare breach and the impact it had on patient care in Maryland and around the nation. He observed that Senator Katie Fry Hester (District 9), a member of the Maryland Cybersecurity Council, had been in discussion with Delegate Kerr about the workgroup and that a small consultative group consisting of Clay House, a former member of the Council, Ben Yelin at CHHS, and Dr. von Lehmen had been working with her on idea.

- b. By way of background, Delegate Kerr observed that the General Assembly had passed a bill to establish a healthcare ecosystem working group that both he and Senator Hester had sponsored but that it was ultimately vetoed due to State budgetary considerations. Ms. Hayes asked if the environment has changed and how this might affect the timing of the workgroup. Delegate Kerr responded that changes at the federal level will impact the ecosystem but noted that the issue of resilience is still an important one.
- c. Mr. Draffin asked what the objectives of a workgroup would be and who would chair it. Dr. von Lehmen, reporting on discussions within the consultative group, suggested that the workgroup should have four objectives:
- Identify each ecosystem's participant's minimum functional requirements to preserve care continuity and financial viability during a disruption
  - Define critical interdependencies among participants (e.g., patient rerouting, resource sharing, expedited payment processing)
  - Discuss opportunities for coordinated crisis management across organizations
  - Surface barriers and considerations vital to strengthening ecosystem resilience

The discussion of these questions would occur over several meetings between September and December and would be summarized in a report that would be shared with all involved and briefed to the Council. In answer to the leadership question, Dr. von Lehmen proposed that Mr. House and Mr. Yelin would co-chair the group.

- d. Mr. Rauschecker asked how stakeholders would be identified and how the invitations would be extended. Delegate Kerr stated that those who testified on the healthcare ecosystem bill during the last session should be invited. He provided the link to the General Assembly webpage listing those who had testified on the bill. Dr. von Lehmen added that Senator Hester's office was also willing to approach MHCC and MIA for a list of other stakeholders whom she and Delegate Kerr may wish to invite.

Regarding the invitation of stakeholders, Dr. von Lehmen observed that one approach would be for Senator Hester and Delegate Kerr to jointly send a letter to the identified stakeholders. He noted that a draft letter had been prepared and shared with both Senator Hester's and Delegate Kerr's offices. Delegate Kerr expressed support for managing the invitations in this manner.

- e. With no further discussion, Mr. Ables moved for the subcommittee to approve the formation of a healthcare ecosystem workgroup, chaired by Mr. House and Mr. Yelin, to address the questions that Dr. von Lehmen had summarized, on the

timeline mentioned if possible, with a report due at the end, contingent on the support of Senator Hester and Delegate Kerr in launching the invitations. The motion was seconded by Mr. Draffin. All subcommittee members present voted to approve the motion on a roll call vote.

- f. Mr. Ables asked if there was any further subcommittee business. There being none, the meeting was adjourned at 12:00 pm.