WEST VIRGINIA CODE: §5B-2N-6

§5B-2N-6. Biennial Energy Emergency Exercise.

(a) The Office of Energy shall conduct an energy emergency exercise by no later than July 1, 2027. It shall conduct additional energy emergency exercises every two years thereafter. The office shall invite representatives from the following entities to participate in the energy emergency exercise and shall provide said representatives with at least 30-days advance written notice of the energy emergency exercise:

(1) All electric utilities regulated by the West Virginia Public Service Commission;

(2) West Virginia Public Service Commission;

(3) West Virginia Office of Technology;

(4) West Virginia Governor's Office;

(5) West Virginia Legislature;

(6) West Virginia Fusion Center;

(7) West Virginia Department of Homeland Security;

(8) West Virginia Emergency Management Division;

(9) West Virginia National Guard;

(10) West Virginia Department of Transportation;

(11) West Virginia Department of Environmental Protection;

(12) Federal Emergency Management Administration;

(13) United States Department of Energy, Office of Cybersecurity, Energy Security and Emergency Response;

(14) United States Department of Homeland Security;

(15) United States Cybersecurity and Infrastructure Security Agency;

(16) West Virginia University; and

(17) Marshall University.

(b) The Office of Energy shall conduct the energy emergency exercise so as to allow the

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various participating state and federal agencies and other entities to access their energy emergency preparedness in a risk-free environment.

(c) Within 30 days of completing the energy emergency exercise, the office shall provide a strictly confidential report to the Governor and the Joint Committee on Government and Finance. The report shall:

(1) Address whether the State Energy Security Plan properly delineates the roles and responsibilities of the various entities participating in the exercise and provide recommendations for improving the State Energy Security Plan; and

(2) Recommend improvements in the communication protocols among state agencies, the federal government, the private sector, other participating entities and the public.

(d) Any plan and any information obtained or developed by the Office of Energy pursuant to this section shall be kept confidential and exempt from disclosure under the Freedom of Information Act under §29B-1-1 *et seq.*, of this code.

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