


**STAFF RESPONSE TO APPLICATION TO PROTECT CONFIDENTIAL
CRITICAL ENERGY INFRASTRUCTURE INFORMATION**

On September 28, 2015, North Dakota Pipe Line Company, LLC (NDPL) filed an application to protect confidential critical energy infrastructure information required by N.D. Admin. Code § 69-06-05-01(2)(q), asserting the information is exempt from N.D.C.C. § 44-04-18. NDPL has filed in a sealed envelope labeled “CRITICAL ENERGY INFRASTRUCTURE INFORMATION – CONFIDENTIAL.” NDPL asserts the information would be of great benefit to anyone with a desire to disrupt the economy through an attack on this infrastructure, and thus, constitutes the treatment of Critical Energy Infrastructure information under federal guidelines. Further, NDPL asserts that the enclosed information qualifies as being exempt from public disclosure pursuant to N.D.C.C. § 44-04-24.

Pursuant to N.D. Admin. Code § 69-02-09-01(4), the Company has submitted the basis for protection. Staff has reviewed the information and believes the information qualifies to be exempt from public disclosure. Furthermore, similar but less detailed information is included in the application which provides information necessary for interest parties to review the project and associated factors without disclosure of the critical energy infrastructure information.

For the reasons set forth above, Staff recommends that the Commission grant NDPL’s request.

Dated this 4th day of April, 2016.

By: 

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