

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Enbridge Pipelines (North Dakota) LLC  
Little Muddy Station Connection Project – Williams  
Siting Application**

**Case No. PU-11-606**

**ORDER GRANTING PROTECTION OF INFORMATION**

**October 19, 2016**

On December 16, 2013 Enbridge Pipelines (North Dakota) LLC (Enbridge) filed an application to protect confidential critical energy infrastructure information that it is required to file under North Dakota Administrative Code section 69-06-05-01(2)(q) from public disclosure, asserting the information is exempt from North Dakota Century Code section 44-04-18.

On August 15, 2014, North Dakota Public Service Commission Staff filed and served its response to the request, recommending the Commission approve the request.

Enbridge stated that the information contained on a CD and labeled “CRITICAL ENERGY INFRASTRUCTURE INFORMATION – PRIVATE” is protected critical energy infrastructure and is entitled to nondisclosure as Critical Energy Infrastructure Information under the USA Patriot Act of 2011 and other federal guidelines. Furthermore, the company asserts that the information is critical infrastructure that may be exempt from public disclosure under North Dakota Century Code section 44-04-24(2)(b).

North Dakota Administrative Code section 69-02-09-03 provides “the commission staff shall examine the information and application, and file and serve a response that includes a recommendation on whether the information qualifies for protection.”

Staff has reviewed the request of Enbridge Pipelines (North Dakota) LLC for protection of information. Staff believes that the application satisfies the requirements of the law which allows the Commission to grant protection of information in this proceeding. In addition, similar but less detailed and exact information is included in the application which provides information necessary for interested parties to review the project and associated factors in this siting proceeding without disclosure of the critical energy infrastructure information. Further, the Commission’s process provides a means for interested parties to review protected documents upon signing a nondisclosure agreement.

The Commission concludes Enbridge Pipelines (North Dakota) LLC’s application satisfies the requirements of the North Dakota Century Code for protection of the information which is the subject of this request.

**Order**

The Commission orders the December 16, 2013 application of Enbridge Pipelines (North Dakota) LLC for protection of information GRANTED.

  
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**Randy Christmann**  
Commissioner

**PUBLIC SERVICE COMMISSION**

  
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**Julie Fedorchak**  
Chairman

  
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**Brian P. Kalk**  
Commissioner