

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Tesoro High Plains Pipeline LLC
2012
Ten Year Plan**

Case No. PU-12-457

ORDER GRANTING TRADE SECRET PROTECTION

August 29, 2012

Preliminary Statement

1. Tesoro High Plains Pipeline LLC (THPP) applied for trade secret protection on July 2, 2012, pursuant to N.D. Admin. Code § 69-02-09-01 and requested a protective order in accordance with the provisions of the N.D. Admin. Code.
2. The information identified by their application includes proprietary operations, such as: (i) the pipeline's maximum operating pressure, (ii) capacity information of pump stations; and (iii) plans regarding the future expansion of the THPP pipeline system and new operations that THPP has not publically disclosed.
3. Commission staff as required by N.D. Admin. Code § 69-02-09-03 have on July 31, 2012, made a prima facie recommendation that the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4).
4. The information for which trade secret protection is sought is highly confidential and of a propriety and financial nature and as provided in N.D.C.C. § 44-04-18.4, has been kept confidential by THPP and would be of advantage to competitors if not protected.
5. If competitors had access to such confidential information, it could adversely affect prices all to the ultimate disadvantage of consumers and customers of dishNET.
6. The Commission, in consideration of Staff's prima facie recommendation, determines that the information is a trade secret as defined by N.D.C.C. ch. 47-25.1 and

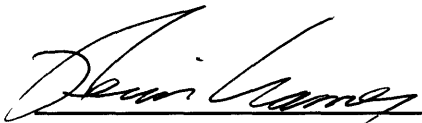
N.D. Admin. Code ch. 69-02-09;

IT IS, THEREFORE,

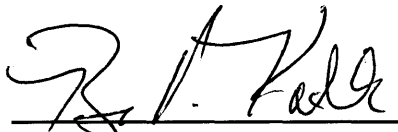
ORDERED THPP is hereby granted trade secret protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09 for the information identified by the application; and it is further

ORDERED that this order shall not constitute precedent for a determination of entitlement to trade secret protection for any information upon any subsequent application.

PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Brian P. Kalk
Chairman**



**Bonny M. Fetch
Commissioner**