

122 E. Broadway Avenue  
Bismarck, ND 58501

P.O. Box 460  
Bismarck, ND 58502-0460  
Phone (701) 258-0630  
Fax (701) 258-6498

December 31, 2013



Public Service Commission  
Attention: John Hamre  
600 East Boulevard Avenue, Dept. 480  
Bismarck, ND 58505-0480

In re: Enbridge Pipelines (North Dakota) LLC  
24-Inch Crude Oil Pipeline – Sandpiper Project  
Siting Application  
Case No: PU-13-848

Dear Mr. Hamre:

Enclosed for filing is the Staff Response to Application to Protect Confidential Critical Energy Infrastructure Information with regard to the above-referenced case.

If you have any questions, please feel free to give me a call.

Sheldon A. Smith\*  
Randall J. Bakke\*\*\*  
Scott K. Porsborg\*\*\*  
Suzanne M. Schweigert\*  
Mitchell D. Armstrong\*\*  
Shawn A. Grinolds\*\*  
Stacy M. Moldenhauer\*\*  
David J. Smith\*\*  
Bradley N. Wiederholt\*\*  
Jack E. Zuger\*  
Brian D. Schmidt\*  
Tyler J. Malm\*

Respectfully,



MITCHELL D. ARMSTRONG  
Special Assistant Attorney General for  
Public Service Commission

tmh  
enclosure  
cc: Brian Bjella (w/ enc.)  
ALJ Patrick Ward (w/ enc.)

\* Licensed in North Dakota

■ Licensed in Minnesota

● Licensed in South Dakota

\* Board Certified Civil Trial  
Specialist by National Board  
of Trial Advocacy

PSC.2


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

On October 30, 2013 Enbridge 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. Enbridge has filed the information with the Commission in a sealed envelope containing a CD and labeled “Critical Energy Infrastructure Information.” Enbridge asserts the information 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. Enbridge further asserts the information qualifies as being exempt from public disclosure pursuant to N.D.C.C. § 44-04-24.

Staff believes the information qualifies for the protection Enbridge seeks. 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.

For reasons set forth above, staff recommends that the Commission grant Enbridge’s request.

Dated this 31<sup>st</sup> day of December, 2013.

By:   
Mitchell D. Armstrong (ND. ID # 05892)  
Brian D. Schmidt (ND. ID # 07498)  
Special Assistant Attorneys General for PSC  
122 East Broadway Avenue  
P.O. Box 460  
Bismarck, ND 58502-0460  
Phone (701) 258-0630

