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February 14, 2014



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

In re: North Dakota Pipeline Company, LLC  
f/k/a 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.

Respectfully,

BRIAN D. SCHMIDT  
Special Assistant Attorney General for  
Public Service Commission

Sheldon A. Smith\*  
Randall J. Bakke\*\*\*  
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tmh  
enclosure  
cc: Brian Bjella (w/ enc.)  
ALJ Patrick Ward (w/ enc.)

PSC.3

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28 PU-13-848 Filed: 2/18/2014 Pages: 4  
Staff response to application for trade secret  
protection

Public Service Commission

Brian Schmidt, SAAG

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

On February 10, 2014, North Dakota Pipeline Company, LLC (f/k/a “Enbridge Pipelines (North Dakota) LLC”), 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. North Dakota Pipeline Company, LLC has filed the information with the Commission in a sealed envelope containing a CD and labeled “Critical Energy Infrastructure Information - Private.” North Dakota Pipeline Company, LLC 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. North Dakota Pipeline Company, LLC, 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 North Dakota Pipeline Company, LLC 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 North Dakota Pipeline Company, LLC’s request.

Dated this 14<sup>th</sup> day of February, 2014.

By: 

Mitchell D. Armstrong (ND. ID # 05892)  
Brian D. Schmidt (ND. ID # 07498)  
Special Assistant Attorneys General for PSC  
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AFFIDAVIT OF SERVICE BY MAIL

North Dakota Pipeline Company, LLC  
f/k/a Enbrdige Pipelines (North Dakota) LLC  
24-Inch Crude Oil Pipeline – Sandpiper Project  
Siting Application

Case No.: PU-13-848

STATE OF NORTH DAKOTA     )  
   )ss  
COUNTY OF BURLEIGH     )

Tiffany Heim states under oath as follows:

1. I swear and affirm upon penalty of perjury that the statements made in this affidavit are true and correct.

2. I am of legal age and on the 14<sup>th</sup> day of February, 2014, I served the attached **STAFF RESPONSE TO APPLICATION TO PROTECT CONFIDENTIAL CRITICAL ENERGY INFRASTRUCTURE INFORMATION**

upon the following, by mailing a true and correct copy to the following:

Brian Bjella  
Attorney at Law  
P.O. Box 2798  
Bismarck, ND 58502-2798

ALJ Patrick Ward  
PO Box 1695  
Bismarck, ND 58502-1695

and depositing the same, with postage prepaid, in the United States mail at Bismarck, North Dakota

*Tiffany Heim*  
\_\_\_\_\_  
Tiffany Heim

Subscribed and sworn before me this 14<sup>th</sup> day of February, 2014.



*Shayna Wiege*  
\_\_\_\_\_  
Notary Public  
Burleigh County, North Dakota