

122 E. Broadway Avenue
Bismarck, ND 58501

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

May 9, 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,

A handwritten signature in blue ink that reads "Brian Schmidt".

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

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*

amh
enclosure
cc: Brian Bjella (w/ enc.)
ALJ Patrick Ward (w/ enc.)
PSC.4

* Licensed in North Dakota

■ Licensed in Minnesota

● Licensed in South Dakota

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


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

On April 8, 2014, and April 22, 2014, North Dakota Pipeline Company, LLC (f/k/a “Enbridge Pipelines (North Dakota) LLC”), filed applications 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 9th day of May, 2014.

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

