



Public Service Commission

State of North Dakota

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December 6, 2018

Darrell Nitschke
Executive Director
ND Public Service Commission
600 E. Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480

via Hand Delivery

Re: Case No. PU-13-848
North Dakota Pipeline Company, LLC
24-Inch Crude Oil Pipeline – Sandpiper Project
Siting Application

Dear Mr. Nitschke:

Enclosed is a copy of the Staff Response to Application for Protection Information to be filed in the above referenced case.

Best Regards,

John Schuh
Legal Counsel

Enclosure

265 PU-13-848 Filed: 12/6/2018 Pages: 3
**Letter enclosing Staff Response to Application for
Protection of Information**

Public Service Commission

John Schuh, Legal Counsel

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**North Dakota Pipeline Company, LLC
24-Inch Crude Oil Pipeline - Sandpiper Project
Siting Application**

Case No. PU-13-848

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On 25 January 2018, North Dakota Pipeline Company, LLC (NDPL) filed an application to protect confidential critical energy infrastructure information. NDPL asserts the information is protected critical energy infrastructure and is entitled to protection from disclosure as Critical Energy Infrastructure Information under the USA Patriot Act of 2011 and other federal guidelines. NDPL further asserts the information qualifies as being exempt from public disclosure pursuant to North Dakota Century Code Section 44-04-24.

NDPL operates an interstate common carrier pipeline, which the company asserts is critical energy infrastructure due to it playing an important role in the distribution of vital energy supplies to the refinery markets in the Midwest. The Company has concerns that the specific and detailed GIS information could be used to disrupt the economy through an attack the infrastructure. NDPS describes the information as detailed design information and imagery pertaining to what would be classified as critical infrastructure under both state and federal law. The detailed information would provide the precise location and design of the critical infrastructure and make the information easily accessible to implement a plan of disruption. Intentional damage to NDPL's Project could impact both economic security as well as threaten public health and safety.

Staff believes the information falls under the critical infrastructure exemption. Similar but less detailed and exact information is included in the application and is available to the public.

For reasons set forth above, staff recommends that the Commission grant NDPL's request for protection of information.

Dated this 6th day of Dec, 2018.



John Schuh
Legal Counsel
North Dakota Public Service Commission