

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

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

She is over the age of 18 years and not a party to this action and, on the **7th day of December 2018**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with postage, fully prepaid, securely sealed and containing a photocopy of:

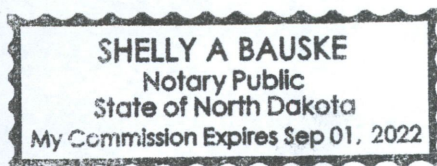
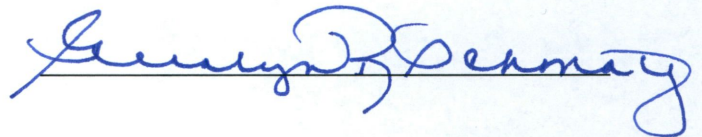
- **Staff Response To Application For Protection Of Information**

The envelope was addressed as follows:

Dave Hodek  
Senior Project Specialist  
North Dakota Pipeline Company, LLC  
26 East Superior Street  
Duluth, MN 55802

The address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this **7th day of December 2018**.



SEAL

  
Notary Public

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**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 6<sup>th</sup> day of Dec, 2018.



John Schuh  
Legal Counsel  
North Dakota Public Service Commission