

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Access, LLC
Dakota Access Pipeline Project
Siting Application

Case No. PU-14-842

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On 1 September 2016, Dakota Access, LLC (Dakota Access), filed an application for a protective order under North Dakota Administrative Code Section 69-02-09 for protecting against public disclosure protected information as defined by North Dakota Century Code Section 47-25.1-01(4).

The information for which Dakota Access seeks protection includes confidential geographic information system ("GIS") data submitted to the North Dakota Public Service Commission for the Dakota Access Pipeline Project ("Project"). The GIS data contains information that details the location of critical infrastructure that could be useful in planning an attack on critical infrastructure or the disruption of production, generation, transmission, or distribution of energy. Disruption could negatively affect economic security as well as personal health and safety to the general public.

The confidentiality of this information has been maintained by Dakota Access. The information is not disclosed to the public or to persons other than employees or authorized agents who need to know the information to fulfill their responsibilities in connection with Dakota Access, or to third persons pursuant to nondisclosure agreement to maintain the confidentiality of the information. Dakota Access has requested that this information be treated as trade secret.

North Dakota Administrative Code Section 69-02-09-03 requires that the Commission staff examine the information and application and make a recommendation to the Commission.

Staff believes that the application satisfies the requirements of the North Dakota Century Code for protection of information.

For reasons set forth above, Staff recommends that the Commission grant the application of Dakota Access to protect certain information filed in this case.

Dated this 16th day of September, 2019.



Brian Johnson
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION** was, on September ____ 2019, served on the following by email:

Lawrence Bender (lbender@fredlaw.com)

Dated this 16th day of September, 2019.



Brian Johnson
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