

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Andeavor Field Services LLC  
8" & 6" NGL Pipelines - McKenzie, Billings, Stark  
Siting Application

Case No. PU-18-72

AFFIDAVIT OF SERVICE BY ELECTRONIC MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

John G Hamre deposes and says that:

He is over the age of 18 years and not a party to this action and, on the **2nd** day of **May**, **2019**, he sent by electronic mail a copy of:

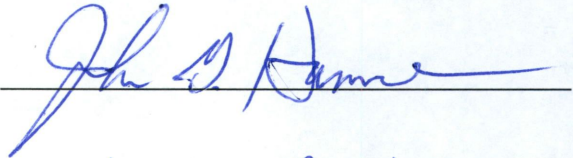
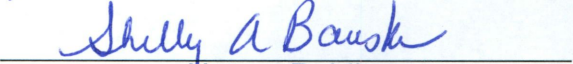
ORDER ON PROTECTION OF INFORMATION

The e-mail was addressed as follows:

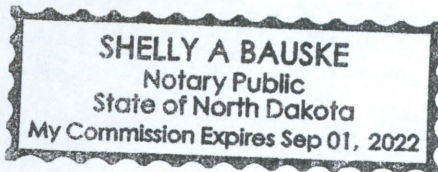
Lawrence Bender  
(lbender@fredlaw.com)

The e-mail address shown is the respective addressee's last reasonably ascertainable e-mail address.

Subscribed and sworn to before me  
this **2nd** day of **May 2019**.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public

SEAL



**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Andeavor Field Services LLC**  
**8" & 6" NGL Pipelines - McKenzie, Billings, Stark**  
**Siting Application**

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**ORDER ON PROTECTION OF INFORMATION**

**MAY 1, 2019**

On March 20, 2018, Andeavor Field Services LLC (Andeavor) filed an application to protect from disclosure certain confidential information concerning critical energy infrastructure filed with the North Dakota Public Service Commission as part of the application for a Certificate of Corridor Compatibility and Route Permit for the Y-Grade Hub Pipeline Project ("Project"). Specifically, Andeavor seeks to protect the detailed design, safety, emergency response, and related information requested by the Commission.

Pursuant to the request of the Commission for supplemental information, Andeavor submitted a CD for consideration with the Application, but requested the CD be exempt from public disclosure under North Dakota Century Code Section 44-04-24 as the CD contains critical infrastructure information and relate to the security, threat assessments, response plans, and emergency response plans of the Project.

North Dakota Century Code Section 44-04-24 provides exemption from public disclosure for:

[A]ll records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, communications, or consultations or portions of any such plan relating directly to the physical or electronic security of any critical infrastructure, whether owned by or leased to the state or any of its political subdivisions, or any privately owned or leased critical infrastructure if the plan or a portion of the plan is in the possession of a public entity; threat assessments; vulnerability and capability assessments conducted by a public entity, or any private entity; threat response plans; and emergency evacuation plans."

North Dakota Century Code Section 44-04-24(2)(b).

Critical infrastructure is broadly defined and includes:

[P]ublic buildings, systems, including telecommunications centers and computers, power generation plants, dams, bridges, and similar key resources, whether physical or virtual, so vital to the state that the incapacity

or destruction of these systems would have a debilitating impact on security, state economic security, state public health or safety, or any combination of those matters.

North Dakota Century Code Section 44-04- 24(2)(a).

The information, which Andeavor seeks to be protected, includes detailed critical infrastructure information, including design, safety, emergency response, and related information which shows the exact location of this Project and other existing energy infrastructure located within a close proximity of this pipeline. Andeavor's assets are considered critical energy infrastructure that plays an important role in the distribution of vital energy supplies to the refinery markets in the Midwest and beyond.

The specific and detailed information contained on the CD applies to multiple Andeavor assets in North Dakota including constructed infrastructure, which would be of great benefit to anyone with a desire to disrupt the economy. Accordingly, distribution of this information must be controlled and not released within the public domain without good cause shown. The information contained on the CD also qualifies as being exempt from public disclosure pursuant to North Dakota Century Code Section 44-04-24.

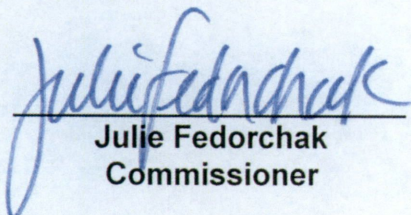
North Dakota Administrative Code Section 69-02-09-03 requires that the Commission staff examine the information and application and make a recommendation to the Commission. On April 1, 2019, Commission Staff reviewed the request and recommended that protection be granted.

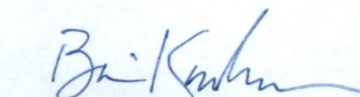
Having reviewed the Company's application and the staff recommendation, the Commission has determined that the information satisfies the requirements of North Dakota Century Code for protection of information.

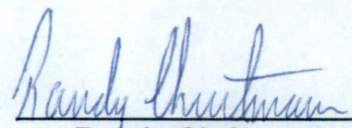
### ORDER

The Commission Orders the March 20, 2018 application of Andeavor Field Services LLC for Protection of Information is GRANTED.

### PUBLIC SERVICE COMMISSION

  
Julie Fedorchak  
Commissioner

  
Brian Kroshus  
Chairman

  
Randy Christmann  
Commissioner