

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

**SCS Carbon Transport LLC  
Midwest Carbon Express CO2 Pipeline Project  
Siting Application**

**Case No. PU-22-391**

**STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION**

On February 8, 2023, SCS Carbon Transport LLC (SCS Carbon) filed an Application for Protection of Information in the above captioned case.

SCS Carbon seeks to protect GIS data related to the location of the proposed facilities, corridor and route. Also contained in the GIS data is cultural, archaeological, historical, or paleontological sites.

The cultural, archaeological, historical, or paleontological sites were granted protection on January 12, 2023. Regarding the location of proposed facilities, corridor and route, North Dakota Century Code (N.D.C.C.) 44-04-18.4(7) allows for the protection of information regarding critical infrastructure as defined in N.D.C.C. 44-04-24, which allows for the protection of information regarding hazardous liquids and gases infrastructure. A carbon dioxide release could impact public health and safety.

This information may be shared with other state agencies who would be required to keep the information protected. Others wishing to view the information would be subject to the procedure set forth in N.D.A.C. 69-02-09-07.

Staff has reviewed the application and finds it meets the criteria for Protection of Information.

Staff has also considered SCS Carbon's request to not submit a public version of the information requesting protection and finds that producing a public version would be difficult if not impossible. As allowed by North Dakota Administrative Code 69-02-09-

01(5), staff recommends a waiver to produce a redacted public version of the protected information.

For reasons set forth above, staff recommends the protection of GIS data be protected in the above captioned case.

Dated this 21st day of February 2023.

A handwritten signature in black ink, appearing to read 'Brian Johnson', is positioned above a horizontal line.

Brian Johnson  
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