

**SENSITIVE INFORMATION ACKNOWLEDGEMENT AGREEMENT
BETWEEN TRANSCANADA USA PIPELINES, LLC
AND**

Recipient has requested that TRANSCANADA USA PIPELINES, LLC (“TransCanada”) provide the attached map(s) to the recipient for the purpose(s) of

_____ . The TransCanada USA Pipelines, LLC’s pipeline is a vital component of the American infrastructure, supplying energy to millions individuals and businesses nationwide. Recipient recognizes that individuals could misuse detailed information regarding its system to impact the American economy and disrupt American life.

Recipient also acknowledges that in the aftermath of the September 11, 2001 terrorist attacks, the Federal Energy Regulatory Commission (“FERC”) instituted procedures to restrict unrestrained access to Critical Energy Infrastructure Information (“CEII”) because of the threat of terrorism. Order No. 630, Critical Energy Infrastructure Information, 68 Fed. Reg. 9857 (March 3, 2003), FERC Stats. & Regs. ¶ 31,140 (2003), *reh’g denied*, Order No. 630-A, 104 FERC ¶ 61,106 (2003). FERC defines CEII as “information about proposed or existing critical infrastructure that (i) relates to the production, generation, transportation, transmission, or distribution of energy; (ii) could be useful to a person in planning an attack on critical infrastructure; (iii) is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552; and (iv) does not simply give the location of the critical infrastructure.” Critical infrastructure means “existing or proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of these matters.” (18 C.F.R. § 388.113(c)(2)). CEII may be released to a requester with a legitimate need for the information who is willing to abide by an appropriate non-disclosure agreement. *See* 18 C.F.R. § 3881.113.

TransCanada considers the requested information to be CEII. Consequently, Recipient signs this Acknowledgment and agrees to the following.

1. TransCanada is providing this CEII information to Recipient with the understanding that Recipient will treat it in a secure manner.
2. Recipient will not disclose the information to anyone other than, as appropriate, Recipients’ clients, supervisors, or co-workers who have a need for this information for the specified purpose(s) for which the information was requested.
3. Recipient will inform anyone with whom it shares this information of the security issues related therein.
4. TransCanada does not make any representation or warranty, express or implied as to the accuracy, utility or completeness of the requested information. Furthermore, TransCanada disclaims any and all liability for damages, direct or consequential, arising out of the use of the information or any information contained therein.

5. Recipient remains bound by these provisions unless TransCanada rescinds the provisions or a court of competent jurisdiction finds that the information does not qualify as CEII.

By: _____
(Company Name)

(Signature)

(Title)

(Date)

TRANSCANADA USA PIPELINES, LLC

By: _____
(Signature)

(Title)

(Date)