



October 25, 2016

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: OEP/DG2E/Gas Branch 4  
Rover Pipeline LLC  
Rover Pipeline Project  
Docket No. CP15-93-000  
Response to Notification of Intent to Release Information and Opportunity to Comment issued  
October 20, 2016

Dear Ms. Bose:

On September 26, 2016, Rover filed its Response to the Environmental Information Request issued September 14, 2016 by FERC Staff. Attachments 1, 2, and 3 contained within the Response were filed as Privileged Information. On October 20, 2016, FERC Staff indicated that they do not agree with the request for privileged treatment and intend “to release this material in accordance with 18 CFR 388.112(d).” *Notice of Intent to Release Information and Opportunity to Comment*, Docket No. CP15-93-000. Attachments 1 and 2 pertained to the private purchase of a structure with the intent of converting the structure into an operating office for Energy Transfer owned and affiliated operating assets in the area, which was later found to be ill-suited for that purpose. Attachment 3 contained correspondence with the Ohio SHPO related to the 2014 Cultural Resources Survey Report Rover submitted to the Ohio SHPO and Rover believed the information which included documentation listing 194 archaeological sites and 78 built architecture properties was considered Privileged Information. Attachment 3 also included additional correspondence with the Ohio SHPO regarding architectural resources in the vicinity of the proposed project.

Rover objects to the release of the documents that were filed as Privileged Information as each of these are documents that Rover does not ordinarily release to the public, have been maintained as confidential by Rover, and were voluntarily provided in response to FERC Staff’s request, thus qualifying them for protection under Freedom of Information Act Exemption 4. *See Critical Mass Energy Project v. Nuclear Regulatory Comm’n*, 975 F.2d 871, 877–78 (D.C. Cir. 1992) (en banc).

In the event that FERC Staff decides to publicly release these documents over Rover’s objections, Rover, in the spirit of cooperation with the Commission and to further enable FERC Staff to carry out their jurisdictional responsibilities, is filing with this response updated versions of Attachments 1 and 2. These Attachments have been marked “PRIVILEGED AND CONFIDENTIAL—DO NOT RELEASE” consistent with Rover’s prior submission and the Commission’s regulations. Rover continues to believe withholding of these documents from disclosure is appropriate under 18 C.F.R. § 388.112.

Attachments 1 and 2 have been redacted to remove names and other personally identifiable information to protect the privacy interests of those individuals pursuant to Freedom of Information Act Exemption 6. *See* 5 U.S.C. § 552(b)(6). In Attachment 1, the names of contractors and the former property owner have been redacted. In Attachment 2, the names and e-mail addresses of Rover personnel and those of its contractors have been removed. To the extent FERC Staff decides to release the balance of these documents, releasing this personally identifiable information would serve no legitimate purpose.

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines issued on November 15, 2007 in FERC Docket No. RM07-16-000. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2024.

Respectfully submitted,

/s/ Stephen Veatch

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Mr. Stephen Veatch, Senior Director Certificates  
Regulatory Affairs Department

cc: Mr. Kevin Bowman, Office of Energy Projects

CERTIFICATE OF SERVICE

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Kelly Allen

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Mr. Kelly Allen, Manager  
Regulatory Affairs Department  
Rover Pipeline LLC  
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