

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Deborah Platt Majoras, Chairman**
 Thomas B. Leary
 Pamela Jones Harbour
 Jon Leibowitz

In the Matter of

CHICAGO BRIDGE & IRON COMPANY N.V.
 a foreign corporation,

CHICAGO BRIDGE & IRON COMPANY,
 a corporation, and

PITT-DES MOINES, INC.,
 a corporation.

Docket No. 9300

**ORDER GRANTING IN PART AND DENYING IN PART RESPONDENTS' MOTION
FOR *IN CAMERA* TREATMENT OF MATERIAL PREVIOUSLY
DESIGNATED AS CONFIDENTIAL**

Respondents Chicago Bridge & Iron Company N.V. and Chicago Bridge & Iron Company (“CB&I” or “the Respondents”) have filed a Motion for *In Camera* Treatment of Material Previously Designated as Confidential in Respondents’ Further Briefing on Specific Remedy Issues (“the Motion”). CB&I seeks *in camera* treatment for discussions on pages 8-11 of Respondents’ Further Briefing on Specific Remedy Issues (“Respondents’ Brief”) that were redacted in the public record version of Respondents’ Brief. CB&I seeks *in camera* treatment of these materials for a period of five years. Complaint Counsel does not oppose Respondents’ motion.

The Commission finds that CB&I has satisfied the standard set forth in Commission Rule 3.45(b) and shown that the disclosure of the information for which it seeks *in camera* treatment would likely result in “clearly defined, serious injury.” 16 C.F.R. § 3.45(b). *See H.P. Hood & Sons, Inc.*, 58 F.T.C. 1184, 1188 (1961); *Bristol-Myers Co.*, 90 F.T.C. 455, 456 (1977); *General*

Foods Corp., 95 F.T.C. 352, 355 (1980). The Commission, however, is not persuaded that *in camera* treatment should be granted for the five-year period requested by CB&I. The information for which such treatment is being granted is temporal in nature, and its competitive sensitivity is likely to diminish over time. Accordingly, the Commission believes that a two-year period is appropriate.

IT IS THEREFORE ORDERED that those portions of pages 8-11 that were redacted in the public record in Respondents' Brief shall be afforded *in camera* treatment for a period of two years from the date of this Order, at which time Respondents may show cause why those materials should not be made public.

By the Commission.

Donald S. Clark
Secretary

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ISSUED: August 24, 2005