

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

**COMMISSIONERS: Deborah Platt Majoras, Chairman
Orson Swindle**

would substantially harm CB&I's business." Motion at 2. CB&I also maintains that it has endeavored to preserve the secrecy of this information. 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 (a) Exhibit A to the Motion and (b) those portions of the Motion, Exhibit B thereto, and the Opposition that were redacted in the public record 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: May 9, 2005