

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

In the Matter of the Applications
Of Otter Tail Power Corporation Cases no. PU-06-482
And MDU For an Advance and no. PU 06-481
Determination of Prudence
for the Big Stone II
Generating Plant

**Motion For Order by The Public Service Commission to Allow
Otter Tail Power Co. and MDU a Reasonable Time to File
Motions, Document and Testimony to Protect as Non Public
Information the Confidential Testimony filed by David
Schlissel on May 31, 2007**

1. Montana Dakota Utilities and Otter Tail Power Co. have filed a Petition for Advance Determination of Prudence for a proposed Big Stone II power plant in South Dakota on November 15, 2006.
2. The North Dakota Public Service Commission has granted a request for protection of certain material as protected as Trade Secrets under Administrative Rules 69-02-04 and sequentially as requested by Montana Dakota Utilities and Otter Tail Power Company in 2007.
3. Intervenor has filed Testimony of David Schlissel of Synapse Energy Economics dated as May 31, 2007 marked as **CONFIDENTIAL VERSION CONTAINS PROTECTED INFORMATION. The information is claimed as protected by Otter Tail Power Company.**
4. Intervenor has requested it be designated protected Trade Secret Information under the rules of the commission under 69-02-09 and sequentially.

5. Attorney William Binek of the Advocacy Staff NDPSC has recommended the information not be held as protected.
6. Intervenor has conferred with Attorney Dan Kuntz for and MDU and requests that the NDPSC allow Otter Tail Power Corporation a reasonable time to bring a motion with documents and if necessary testimony, unavailable to Intervenor or to Attorney Dan Kuntz who has appeared for Montana Dakota Utilities, to protect any information Otter Tail believes should remain nonpublic information.
7. A reasonable time may be 14 days or other reasonable time period designated by the NDPSC.

Dated June 13, 2007

Respectfully submitted for

Mark Trechock Ratepayer Dickenson ND and for and as
Staff Director of
Dakota Resource Council

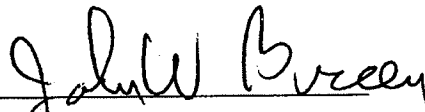
By John W. Breen Jr.
Attorney John W. Breen Jr.
717 Williams Street
Bismarck, ND 58501
ND Bar ID 05492

Order

For the
North Dakota Public Service
Commission
Date _____

Which is the last know address of the parties.

The above motion was filed by electronic mail on June 13, 2007..



John W. Breen Jr.
June 13, 2007

Anderson, Lori D.

From: John W. Breen Jr. [jjwbreen2@bis.midco.net]
Sent: Wednesday, June 13, 2007 9:39 AM
To: Binek, William W.; Dan Kuntz; Bruce Gerhardson
Cc: Anderson, Lori D.; Carrie La Seur
Subject: Document (113).pdf

Attachments: Document (113).pdf



Document
(113).pdf (88 KB)

Document (113).pdf

Gentlemen,

Please accept the attached Motion to Allow OTP and MDU a reasonable time to present Motions, Documents or Testimony to protect any information they believe should be protected in the Confidential Testimony filed by David Schlissel dated May 31, 2007

Jack Breen 6-13-2007