

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Corporation, Advance
Determination of Prudence
Application

**APPLICATION FOR TRADE
SECRET PROTECTION**

Montana-Dakota Utilities Co.,
a Division of MDU Resources Group,
Inc., Advance Determination of Prudence
Application

Case Nos. PU-06-481, PU 06-482

Applicants Otter Tail Corporation d/b/a Otter Tail Power Company and Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., respectfully move the Commission for entry of a trade secret protective order under § 69-02-09-01 of the North Dakota Administrative Code. The purpose of the protective order is to protect against public disclosure of trade secret information as defined by NDCC § 47-25.1-01(4).

On Wednesday, April 23, 2007, Applicants are filing their written rebuttal testimony in the above matter. The Rebuttal Testimony of Ward Uggerud at page 14 includes a reference to two confidential and trade secret letters concerning a potential long-term rail contract between Otter Tail and the BNSF Railway Company. Applicants submit that disclosure of such highly sensitive information would be of independent economic value to competitors and would create a competitive disadvantage for Applicants and be inimical to the BNSF's business interest if publicly disclosed.

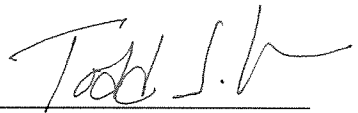
The specific information Applicants seek to protect includes the following:

- March 10, 2008 Letter from BNSF Railway Company to Otter Tail, attached as Exhibit ____ to Rebuttal Testimony of Ward Uggerud.
- April 7, 2008 Letter from BNSF Railway Company to Otter Tail, attached as Exhibit ____ to Rebuttal Testimony of Ward Uggerud.

The Applicants respectfully request that the above information be given trade secret information protection. Such information is not publicly available, and is treated as confidential business information. Applicants do not disclose this information except to their employees and representatives who have a need to know the information as part of their responsibilities to the project.

In accordance with § 69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material is provided in the enclosed sealed envelope and labeled – TRADE SECRET – PRIVATE.

Respectfully submitted,

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