

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

**IN THE MATTER OF THE
RESOLUTION OF NATURAL GAS
METER AND BILLING SERVICE
ISSUES OF NORTHERN STATES
POWER COMPANY, A MINNESOTA
CORPORATION**

**CASE NO. PU-08-627
RECEIVED**

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PUBLIC SERVICE COMMISSION

APPLICATION FOR TRADE SECRET PROTECTION

Northern States Power Company, a Minnesota corporation (“Xcel Energy” or the “Company”) respectfully requests the North Dakota Public Service Commission (the “Commission”) for entry of a trade secret protective order pursuant to § 69-02-09-01 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect against public disclosure the trade secret information contained in the Company’s Action Plan developed in response to the recommendations contained in the report issued by Global Enterprise Managers LLC (“GEM”) on its review of our revenue cycle (the “GEM Report”).

The Company previously filed the preliminary GEM Report in the above-referenced matter on August 18, 2009. At that time, we submitted an Application for Trade Secret Protection for information contained in the GEM Report. On September 25, 2009, we filed the final GEM Report. On October 14, 2009, the Commission issued an Order Granting Trade Secret Protection for the trade secret information contained in the GEM Report as defined by N.D.C.C. § 47-25.1-01(4).

Portions of the Company’s Action Plan contain information that is the same or similar to the information previously designated as trade secret in the GEM Report.

- 1. A general description of the nature of the information sought to be protected.**

References to provisions of the Company’s contract with Cellnet and obligations stemming from that contract.

- 2. Explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.**

The information on provisions in the Company's contract with Cellnet is commercially valuable and could have economic benefit to potential vendors, contractors, and suppliers who may desire to provide services, billing systems or other related technology to us in the future.

- 3. An explanation why the information is not readily ascertainable by proper means by other persons.**

Pursuant to the terms of the Company's contract with Cellnet, Xcel Energy has an obligation to keep the terms of the contract confidential. Accordingly, this information is not disclosed to the public and is known only to employees or authorized agents who need the information to fulfill their responsibilities in connection with billing our customers, and to vendors whose contracts contain confidentiality provisions.

For this reason, the Company has requested that this information be treated as trade secret in all of its regulatory filings and other sharing of this information with governmental entities.

- 4. A general description of the persons or entities that would obtain economic value from disclosure or use of the information.**

Billing service vendors, software companies, technology consultants and other utilities would obtain economic value from disclosure of this information.

- 5. A specific description of known competitors and competitor's goods and services that is pertinent to the tariff or rate filing.**

See response to No. 4.


- 6. A description of the efforts used to maintain the secrecy of the information.**

See response to No. 3.

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

Respectfully submitted this 5th day of November, 2009.

Northern States Power Company,
a Minnesota corporation

By: 
Megan J. Hertzler