



414 Nicollet Mall  
Minneapolis, MN 55401

September 23, 2009

-via U.S. MAIL-

Darrell Nitschke  
Director of Administration and Executive Secretary  
North Dakota Public Service Commission  
State Capitol Building, Dept. 408  
600 East Boulevard  
Bismarck, ND 58505-0480

RECEIVED

SEP 24 2009

PUBLIC SERVICE COMMISSION

**Re: APPLICATION OF NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, FOR TRADE SECRET PROTECTION FOR INFORMATION FILED IN THE MATTER OF AN APPLICATION FOR AN ADVANCED DETERMINATION OF PRUDENCE FOR THE BAY FRONT BIOMASS GASIFICATION PROJECT**

Dear Mr. Nitschke:

Enclosed in the above referenced matter is an original and seven (7) copies of an Application for Trade Secret Protection sought by Northern States Power Company, a Minnesota corporation ("Xcel Energy" or the "Company") in its *Application for an Advanced Determination of Prudence for the Bay Front Biomass Gasification Project* (the "ADP Filing") that was filed with the North Dakota Public Service Commission contemporaneously with this request.

The ADP Filing contains cost information, contract terms and internal modeling results that have been consistently maintained by the Company as confidential and non-public. We believe that disclosure of this information will provide economic value to potential vendors, contractors and suppliers, and as a result could result in higher costs for our customers.

As a result, we believe it is important that this information is protected and ask the Commission to grant our request for trade secret protection. We look forward to working with the Commission to answer any questions they may have in granting this determination.

Thank you in advance for your review of this filing.

Sincerely,

James R. Alders  
Director, Regulatory Administration

Enclosures

3 **PU-09-659** Filed: 9/24/2009 Pages: 3  
**Application for Trade Secret Protection**

Northern States Power Company  
James Alders, Director, Regulatory Admin

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

NORTHERN STATES POWER COMPANY,  
A MINNESOTA CORPORATION

CASE No. PU-\_\_\_\_\_

IN THE MATTER OF AN APPLICATION  
FOR ADVANCE DETERMINATION OF  
PRUDENCE FOR THE BAY FRONT BIOMASS  
GASIFICATION PROJECT

**APPLICATION FOR TRADE SECRET PROTECTION**

Northern States Power Company, a Minnesota corporation (“Xcel Energy” or the “Company”) respectfully moves 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 of trade secret information filed in the above-referenced application as defined by N.D.C.C. § 47-25.1-01(4).

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

Cost information, contract terms and internal modeling results regarding the Bay Front Project as marked in our Application for Advance Determination of Prudence in the above referenced docket.

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

The information could have economic value to potential vendors, contractors and suppliers who may desire to bid projects to the Company in the future, which could compromise our ability to effectively negotiate. Further, the Company competes with other companies (utilities, developers, etc.) for resources and materials used in electric generation. If publically known, it is possible that the information in this filing could be used against our interests in the future.

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

Xcel Energy has consistently maintained the confidentiality of this information. The information identified as trade secret in the ADP has not been disclosed to the public. The only persons allowed access to this information are employees or authorized agents who need to know the information to fulfill their responsibilities in connection with the Bay Front Project, or to third parties pursuant to contractual agreements that require them to maintain the confidentiality of the information.

The Company has also 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.**

Biomass developers, entities from which we purchase power, and other utilities could 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 23rd day of September, 2009

Northern States Power Company,  
a Minnesota corporation

By:   
JAMES R. ALDERS  
DIRECTOR, REGULATORY ADMINISTRATION