

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Northern States Power Company
Integrated Resource Plan
Information**

Case No. PU-10-580

**STAFF RESPONSE TO
APPLICATION FOR TRADE SECRET PROTECTION**

On October 26, 2012, Northern States Power Company (NSP) filed an application for trade secret protection under North Dakota Administrative Code section 69-02-09-01 for protecting against public disclosure trade secret information as defined by North Dakota Century Code section 47-25.1-01(4).

North Dakota Administrative Code § 69-02-09-04 requires that the Commission staff examine the information and application and make a recommendation to the Commission.

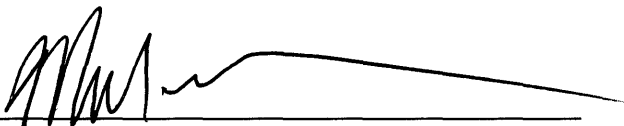
Staff has reviewed the information filed by NSP for protection of information. North Dakota Century Code § 44-04-18.4(2) authorizes protection for commercial, financial, proprietary and trade secret information if privileged and if the information has not been previously publically disclosed. N.D.C.C. § 44-04-18.4(1). Commercial and financial information can be protected from disclosure if the information has not been previously disclosed and disclosure would impair the Commission's ability to obtain similar information in the future or would cause competitive injury to the person providing the information. N.D.C.C. §§ 44-04-18.4(2)(a) and 44-04-18.4(2)(b). Proprietary and trade secret information can be protected when the information derives independent economic value from not being generally known to or readily ascertainable

by other persons, and is the subject of reasonable efforts to maintain its secrecy.
N.D.C.C. §§ 44-04-18.4(2)(c) and 44-04-18.4(2)(d).

Staff believes that the application of NSP satisfies the requirements of the North Dakota Century Code for protection of the information filed in this proceeding. The Commission's process provides a means for interested parties to review trade secret documents upon signing a nondisclosure agreement.

For reasons set forth above, staff recommends that the Commission grant Northern States Power's Application Requesting Trade Secret Protection in this case.

Dated this 1st day of November, 2012.



Mark Gruman
Legal Counsel