

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE COMMISSION

**Montana Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.
Application for Advance Determination of Prudence
Big Stone Air Quality Control System Project**

Case No. PU-11-163

**Otter Tail Power Company
Application for Advance Determination of Prudence
Big Stone Air Quality Control System Project**

Case No. PU-11-165

ORDER GRANTING TRADE SECRET PROTECTION

Montana-Dakota Utilities Co., a division of MDU Resources Group, Inc. (Montana-Dakota), and Otter Tail Power Company (Otter Tail) having each applied for trade secret protection pursuant to N.D. Admin. Code § 69-02-09-01 for a protective order in accordance with the provision of N.D. Admin. Code § 69-02-09-04 for the information identified by their respective applications which may be offered as evidence for the hearing of the captioned cases now before the commission; their respective applications and the information for which trade secret protection is sought having been examined by commission staff as required by N.D. Admin. Code §69-02-09-03 and commission staff having made a prima facie recommendation that the information is relevant for the hearing of those cases and a trade secret as defined by N.D.C.C. § 47-25.1-01(4); and having considered the respective applications and the recommendation of commission staff, and having determined that the information is relevant for the hearing of those cases and that the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4) and entitled to protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09; it is

Ordered, that Montana-Dakota and Otter Tail shall each be, and each hereby is, granted trade secret protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09 for the information identified by their respective applications; and it is further

Ordered, that this order shall not constitute precedent for a determination of entitlement to trade secret protection for any information upon any subsequent application.

Dated August 9, 2011.

NORTH DAKOTA PUBLIC SERVICE COMMISSION

By: 
Al. Wahl, Administrative Law Judge