

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

North Dakota Oilseed Mills, LLC
License Renewal Year 2011
Annual Activity

Case No. GE-11-218

ORDER GRANTING PROTECTION OF INFORMATION

August 10, 2011

On June 29, 2011, North Dakota Oilseed Mills, LLC (Oilseed Mills) filed an application for a protective order and for trade secret protection under North Dakota Administrative Code Chapter 69-02-09 to protect certain filed information from public disclosure. The application also erroneously referenced two irrelevant telecommunications rules which will not be discussed further.

On August 2, 2011, Public Service Commission Staff filed its response to North Dakota Oilseed Mills, LLC's request.

Oilseed Mills stated that certain financial, operational, business strategy and LLC membership information should be protected from public disclosure because the information is derived from past operational data and could, if disclosed, give competitors in neighboring states and provinces a significant financial, marketing or negotiating advantage. Staff reviewed the request of Oilseed Mills for protection of information and noted that the information filed satisfies the requirements of the North Dakota Century Code for protection of the information. Staff recommended granting Oilseed Mills' Application for a Protective Order in this case.

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).

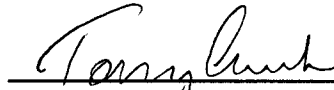
Order

The Commission orders the application of North Dakota Oilseed Mills, LLC for a protective order GRANTED.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner