



MONTANA-DAKOTA

UTILITIES CO.

A Division of MDU Resources Group, Inc.

400 North Fourth Street

Bismarck, ND 58501

(701) 222-7900

December 13, 2011

RECEIVED

DEC 13 2011

Executive Secretary
North Dakota Public Service Commission
State Capitol Building
Bismarck, ND 58505-0480

PUBLIC SERVICE COMMISSION

Re: Application for Trade Secret Protection
Case Nos. PU-11-395 and PU-11-396

Montana-Dakota Utilities Co. (Montana-Dakota), a Division of MDU Resources Group, Inc., herewith submits an Application for Trade Secret Protection of certain information submitted in Response to Advocacy Staff data requests in the course of this proceeding.

Please acknowledge receipt by stamping or initialing the duplicate copy of this letter attached hereto and returning the same in the enclosed self-addressed, stamped envelope.

Sincerely,

Tamie A. Aberle
Regulatory Affairs Manager

Cc: Dan Kuntz
Attachment

- 30 PU-11-396 Filed 12/13/2011 Pages: 4
Application for Trade Secret Protection
Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.
Tamie Aberle, Regulatory Affairs Mgr.
- 43 PU-11-395 Filed 12/13/2011 Pages: 4
Application for Trade Secret Protection
Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc.
Tamie Aberle, Regulatory Affairs Mgr.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application of)	
MONTANA-DAKOTA UTILITIES CO.,)	
a Division of MDU Resources Group,)	
Inc. for An Advance Determination of)	Case No. PU-11-395
Prudence and a Certificate of Public)	Case No. PU-11-396
Convenience and Necessity for an 88)	
MW Simple Cycle Combustion Turbine)	

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code § 69-02-09-01, Montana-Dakota Utilities Co., a Division of MDU Resources Group In., (Montana-Dakota) respectfully requests that the Commission issue a trade secret protective order under N.D. Admin. Code § 69-02-09-04. The purpose of the requested protective order is to protect against public disclosure of trade secrets as defined by N.D. Cent. Code § 47-25.1-01(4).

The information for which Montana-Dakota seeks trade secret protection are the following portions of the Initial Testimony of Richard S. Hahn to be filed on behalf of the North Dakota Public Service Commission Advocacy Staff dated December 12, 2011 identified as "Trade Secret":

- Page 19 starting at line 15 – discussion regarding an Air and Water Permitting Feasibility Study dated June 2011.
- Page 23 starting at lines 10 and 12 – discussion regarding a response to Montana-Dakota's 2010 Request for Proposals ("RFP") for electric generation resources.
- Page 25 starting at line 13 – discussion regarding a response to Montana-Dakota's 2010 RFP for electric generation resources.
- Page 26 starting at lines 7, 16, 18 and 21 – discussion regarding a response to Montana-Dakota's 2010 RFP for electric generation resources.
- Page 27 starting at line 2 – discussion regarding a response to Montana-Dakota's 2010 RFP for electric generation resources.

- Page 27 starting at lines 10 and 13 - discussion regarding a draft MISO System Impact Study associated with a response to Montana-Dakota's 2010 RFP for electric generation resources.
- Page 28 starting at lines 4 and 6 - discussion regarding response to Montana-Dakota's 2010 RFP for electric generation resources.
- Exhibit RSH-7- cost information including information derived from responses to Montana-Dakota's 2010 RFP for electric generation resources.

The above-referenced information is not publicly available and is confidential business information. The information regarding the environmental screening analysis was prepared by a consulting engineering firm specifically for Montana-Dakota at Montana-Dakota's expense. The information provided in response to the Request for Proposal issued by Montana-Dakota in June 2010 was provided by the respondents on a confidential basis. The information, therefore, is not readily ascertainable by proper means by other persons. This information is confidential to the respondents because it reflects their value of their generation resource or Montana-Dakota's evaluation of those resources and could affect respondent's negotiations for the sale of these resources to other parties or potential negotiations between the respondent and Montana-Dakota. Montana-Dakota assured respondents to the RFP that responses would be kept confidential. Breach of that assurance could expose Montana-Dakota to liability and would impact Montana-Dakota's ability to solicit responses to future requests for proposals. Montana-Dakota treats the responses as confidential; they are not provided to third parties and are only provided to those employees of Montana-Dakota who have a need to know the information to perform their responsibilities.

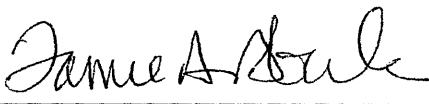
Competitors of the respondents to the RFP would have an opportunity to obtain economic value from disclosure or use of the information, to the detriment of the respondents and the customers served by Montana-Dakota. If the information is made publicly available, competitors could use the information to disadvantage the respondents in dealings with Montana-Dakota or other entities

seeking generation resources. Competitors of the consulting engineering firm that provided the permitting feasibility study could derive economic value from the information provided by the consulting engineer and used in the screening analysis.

Finally, the draft MISO Impact Study was performed under the direction of MISO by a third party and provided to Montana-Dakota, on a confidential basis, as a participant in the ad hoc study group formed to review the study scope, methodology, models and results.

Respectfully submitted this 13th day of December 2011.

MONTANA-DAKOTA UTILITIES CO.

By 
Tamie A. Aberle
Regulatory Affairs Manager

Daniel S. Kuntz
Associate General Counsel
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