

**ZUGER KIRMIS & SMITH**  
COUNSELORS AND ATTORNEYS AT LAW

Lyle W. Kirmis  
Lance D. Schreiner, P.C.  
James S. Hill, P.C.  
Patrick J. Ward  
Rebecca S. Thiem, P.C.  
Jerry W. Evenson, P.C.  
Lawrence A. Dopson  
Lawrence E. King, P.C.  
Tracy Vigness Kolb, P.C.  
Shawnda R. Ereth  
Constance N. Hoffland  
Paul R. Sanderson, P.C.  
Kara J. Johnson  
Claire J. Holloway

316 North Fifth Street  
Provident Building  
P.O. Box 1695  
Bismarck, ND 58502-1695  
(701) 223-2711  
fax (701) 223-9619  
[www.zkslaw.com](http://www.zkslaw.com)  
[lking@zkslaw.com](mailto:lking@zkslaw.com)

John A. Zuger  
1940-2006  
Thomas O. Smith  
1944-2001

**RECEIVED**

APR 19 2012

**PUBLIC SERVICE COMMISSION**

April 19, 2012

John Hamre  
Public Service Commission  
600 East Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

RE: Northern States Power Cooperative – Geronimo Wind Application  
Case No. PU-12-59

Dear Mr. Hamre:

Enclosed for your file is the original Order Granting Trade Secret Protection along with an Affidavit of Mailing with regard to the above matter.

Sincerely,



Val Leapaldt  
Secretary to Patrick J. Ward

Enclosure

P:\PWARD\IOAH\Northern States Power- Geronimo Wind\Hamre.4.19.12.doc

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Northern States Power Company  
Application for Advance Determination of Prudence  
Geronimo Wind Application

Case No. PU-12-59

**ORDER GRANTING TRADE SECRET PROTECTION**

1. Northern States Power Company, a Minnesota corporation (“Xcel Energy or the “Company”) applied for trade secret protection on January 31, 2012, pursuant to N.D. Admin. Code § 69-02-09-01 and requested a protective order in accordance with the provisions of the N.D. Admin. Code.

2. The information identified by their application which may be offered as evidence for the hearing of the captioned case now before the commission includes cost information, contract terms, internal modeling results, and other information regarding Power Purchase Agreements (“PPAs”) with Geronimo Wind Energy, LLC (“Geronimo Wind”), the information for which trade secret protection is sought.

3. Commission staff as required by N.D. Admin. Code § 69-02-09-03 have made a prima facie recommendation that the information is relevant for the hearing of this case and is a trade secret as defined by N.D.C.C. § 47-25.1-01(4).

4. The information for which trade secret protection is sought is “commercial information” as provided in N.D.C.C. § 44-04-18.4(2)(a), has been kept confidential by both parties to the agreements and would be of advantage to competitors if not protected or because it could have economic value to potential vendors, contractors and

suppliers of the Company. The information is not readily ascertainable by other proper means to such competitors or other persons.

5. If competitors or others had access to such confidential information, it could adversely affect prices for future contracts by driving up costs to the ultimate disadvantage of consumers and rate payers.

6. This Hearing Officer has fully reviewed and considered the application and the recommendations of commission staff, and determines that the information is relevant for the hearing of this case 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, all set forth above;

**IT IS, THEREFORE,**

**ORDERED** the Company is hereby 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 the application; 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: 4/19, 2012

NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

By: Patrick J. Ward  
Patrick J. Ward  
Administrative Law Judge

