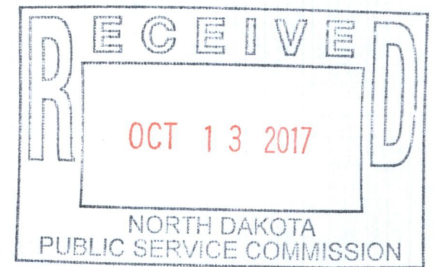


STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION



Northern States Power Company
2013 Electric Rate Increase Application
Case No. PU-12-813

Northern States Power Company
Advance Determination of Prudence –
Courtenay Wind Application
Case No. PU-13-706

Northern States Power Company
Advance Determination of Prudence –
Odell Wind Application
Case No. PU-13-707

Northern States Power Company
Advance Determination of Prudence –
Pleasant Valley Application
Case No. PU-13-708

Northern States Power Company
Advance Determination of Prudence –
Border Winds Application
Case No. PU-13-742

Northern States Power Company
150 MW Border Winds Project – Rolette
County, ND Public Convenience & Necessity
Case No. PU-13-743

Northern States Power Company
Advance Determination of Prudence –
NG Generators Application
Case No. PU-13-194

Northern States Power Company
Red River Valley NG Unites 1&2 –
Hankinson, ND Public Convenience & Necessity
Case No. PU-13-195

OAH File No. 20170091

ORDER GRANTING TRADE SECRET PROTECTION

1. Northern States Power Company, a Minnesota corporation (“Xcel Energy” or the “Company”), applied for trade secret protection on February 14, 2017, and February 20, 2017, pursuant to N.D. Admin. Code § 69-02-09-01, and requested a protective order in accordance with

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190 PU-13-742 Filed 10/13/2017 Pages: 5
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the provisions of the N.D. Admin. Code. Supplemental applications for protection of the same information were filed on July 15, 2017, and August 7, 2017.

2. The trade secret information identified in the applications may be offered as evidence for the hearing, including during discovery, in filed testimony, in settlement discussions, or as otherwise provided in this case, and in particular regards:

- a. The Company's system production costs;
- b. Detailed cost and Company resource information developed in support of this case;
- c. Power purchase agreement terms, including agreement terms, pricing, costs to the Company from vendors or other third parties, salaries, and other personal information;
- d. Resource planning assumptions based on proprietary information; and
- e. Information provided by third parties as confidential and for which the Company has an obligation to keep confidential.

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 "cost information pertaining to buying and selling of goods and services which has been kept confidential and has not been previously publicly disclosed" as provided in N.D.C.C. § 44-04-18.4(2)(a), and could be of unfair advantage to competitors if not protected or could have economic value to potential suppliers, vendors, or other competitors. The information is not readily ascertainable by other proper means to such competitors, vendors, suppliers, or other persons.

5. If competitors, vendors or other suppliers had access to such confidential information, it could adversely affect prices for future material or services and drive up costs to the ultimate disadvantage of consumers and rate payers. N.D. Cent. Code § 44-04-18.4.

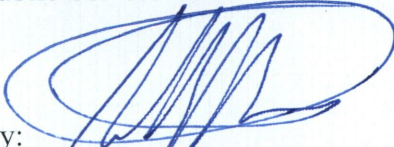
6. This Hearing Officer has fully reviewed and considered the application of Northern States Power and the recommendations of Commission staff, and determines that the information is relevant for the hearing of this case, that the information is not a public record under N.D.C.C. § 44-04-18 because the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4), and that the information is 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 as set forth above;

IT IS, THEREFORE, ORDERED that Northern States Power 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 in this Order; and it is further

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

Dated in Bismarck, North Dakota, this 11th day of October 2017.

State of North Dakota
Public Service Commission

By: 

Timothy J. Dawson
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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OAH File No. 20170091

CERTIFICATION OF SERVICE

The undersigned certifies that the original of the **ORDER GRANTING TRADE SECRET PROTECTION** was mailed, inside mail, at the State Capitol, on the ____ day of October 2017, to:

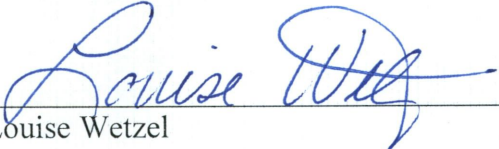
John Hamre
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505-0480

and that true and correct copies of the above document were mailed, regular mail, on the 11 day of October 2017, to

Zeviel Simpser
Amanda Rome
Briggs and Morgan, PA
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402

Mitchell Armstrong
Brian Schmidt
Special Assistant Attorney General
Smith Porsborg Schweigert Armstrong &
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Bismarck, ND 58502-0460

OFFICE OF ADMINISTRATIVE HEARINGS
Timothy J. Dawson, Administrative Law Judge



Louise Wetzel