



October 15, 2019

Mr. Steve Krahl
Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

Re: Application for Protection of Information for Rugby Wind Facility Certificates of Operation

Dear Mr. Krahl:

Concurrent with this Application for Protection of Information, Mr. Peter Landoni, of Avangrid Renewables, LLC, has submitted to your agency documents entitled 2017 Certificate of Operation for Rugby Wind Facility dated October 15, 2019 and 2018 Certificate of Operation for Rugby Wind Facility dated October 15, 2019 (collectively, the "Certificates"). Rugby Wind, LLC is a wholly-owned subsidiary of Avangrid Renewables, LLC ("AR"). On behalf of Rugby Wind, LLC, AR respectfully moves the Commission for entry of a trade secret protective order under § 69-02-09-01 of the North Dakota Administrative Code (the "Application"). The purpose of the requested protective order is to protect against public disclosure of certain trade secret information contained in the Certificates as defined by N.D.C.C. § 47-25.1-01(4).

I. Description of the nature of information sought to be protected.

The specific information needing protection from public disclosure are the annual capacity factor and the annual and monthly megawatt-hour output totals of the Rugby Wind Facility, as provided in the Certificates (the "Information"). Such Information meets the definition of "trade secret" set forth in N.D.C.C. § 47-25.1-01(4).

This Information is trade secret because it is information that (1) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means, other persons that can obtain economic value from its disclosure or use; and (2) is the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information, as provided in N.D.C.C § 47-25.1-01(4).

II. Explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

The Information that Rugby Wind, LLC seeks to protect under this Application could have economic value to existing and potential investors in Rugby Wind, LLC. Additionally, such Information will have economic value for other generating facilities that seek to compete with Rugby Wind, LLC for limited

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5 PU-13-844 Filed: 10/21/2019 Pages: 2
Application for Protection of Information



resources, such as available financing. Furthermore, such Information may have independent value in the energy marketplace, and, if left unprotected, would create a competitive disadvantage for Rugby Wind, LLC.

III. Explanation of why the information is not readily ascertainable by proper means by other persons and description of the efforts used to maintain the secrecy of the information.

The confidentiality of the Information has been maintained by Rugby Wind, LLC for the reasons described in this Application. Such Information is not disclosed to the public nor to any other persons other than employees or authorized agents who need to know the Information to fulfill their responsibilities in connection with the subject matter of the Information.

IV. Description of persons or entities that would obtain economic value from disclosure of the information.

The persons or entities that would obtain economic value from disclosure or use of the Information include existing and potential investors in Rugby Wind, LLC; entities with which Rugby Wind, LLC, currently conducts or may conduct business; and other utilities and generating facilities. Disclosure of this Information would provide these persons and entities with prior foreknowledge of information not readily available to the public.

Pursuant to § 69-02-09-02 of the North Dakota Administrative Code, the protected material is separately enclosed in a sealed envelope, which is labeled **PROTECTED INFORMATION – PRIVATE**. Also submitted here is an original and seven copies of the redacted public version of the Certificates.

Rugby Wind, LLC appreciates your consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jimmy D. Hulett".

Jimmy D. Hulett
Counsel

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