

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Power Company
PURPA 210 Biennial Report
Reports**

Case No. PU-14-503

**STAFF RESPONSE TO REQUEST OF OTTER TAIL POWER COMPANY FOR
TRADE SECRET PROTECTION**

On July 30, 2014, Otter Tail Power Company (Otter Tail or Company), filed an application for trade secret protection pursuant to North Dakota Administrative Code Section 69-02-09-01, requesting a protective order limiting disclosure of trade secret information as defined by North Dakota Century Code Section 47-25.1-01(4).

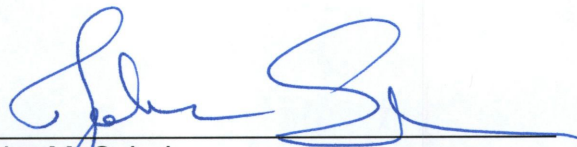
The information for which the Company seeks trade secret protection is the Estimated Avoided Energy Costs provided in the PURPA 210 Biennial Report. Otter Tail submits that the Estimated Avoided Energy Costs contained in the PURPA 210 Biennial Report is not publicly available, and is not only treated as confidential business information, but is information which cannot be selectively disclosed without violating the public reporting requirements of the Securities and Exchange Commission. Otter Tail further asserts that the information would be of independent economic value to competitors and would create a competitive disadvantage for Otter Tail if publicly disclosed due to the competitive nature of the electric market and the market for electric generating resources.

Staff followed-up with Otter Tail regarding possible use of the information and efforts used to maintain secrecy of the information. Having reviewed the information

and application, Staff believes that the Company's application satisfies the requirements of the North Dakota Century Code for protection of the information. The Commission's process provides a means for interested parties to review protected documents upon signing a nondisclosure agreement.

For reasons set forth above, Staff recommends that the Commission grant the application of Otter Tail to protect certain filed information in the captioned cases.

Dated this 13th day of April, 2016.



John M. Schuh
Legal Counsel
North Dakota Public Service Commission