

STATE OF NORTH DAKOTA  
BEFORE THE  
PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE PETITION OF  
NORTHERN STATES POWER COMPANY  
FOR APPROVAL OF THE 2016-2030  
UPPER MIDWEST INTEGRATED  
RESOURCE PLAN

Case No. PU-15-19

**AMENDED APPLICATION FOR TRADE SECRET PROTECTION**

Northern States Power Company (Xcel Energy or Company) respectfully requests the North Dakota Public Service Commission (Commission) enter a trade secret protective order in the above referenced case pursuant to Chapter 69-02-09 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect from public disclosure pursuant to N.D.C.C. § 44-04-18, any trade secret and commercial information as defined by N.D. C.C. § 44-04-18.4 or any other applicable public disclosure laws that may be provided to the Commission, its staff, or staff consultants through supplemental filings, discovery responses, prefiled testimony, examination at hearing, settlement discussions, or otherwise in the course of the above referenced cases.

**1. A general description of the nature of the information sought to be protected.**

The information for which the Company seeks protection includes private customer data, forecast data of annual system consumption and generation information with related technical studies, forecasted capital and O&M cost details, and critical infrastructure security data which have been marked as trade secret in the above-referenced case.

The Company states that the private customer data, forecast data of annual system consumption and generation information with related technical studies, forecasted capital and O&M cost details, and critical infrastructure security data 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 by, other persons that can obtain economic value from its disclosure; 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. § 44-04-18.4(2)(d). The Company further states that the information sought to be protected meets the definition of "trade secret" set forth in N.D.C.C. § 47-25.1-01(4).

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

The information could have economic value to potential vendors, contractors, and suppliers as well as participants in organized energy and capacity markets. Additionally, customer information could have economic value to vendors or services to utilities and their customers. Such a result could be harmful for the Company's customers in North Dakota.

- 3. An explanation why the information is not readily ascertainable by proper means by other persons.**

The confidentiality of this information has been maintained by the Company. The information is not disclosed to the public or to persons other than employees or authorized agents who need to know the information to fulfill their responsibilities in connection with the Company's proposal, or to third persons pursuant to nondisclosure agreement to maintain the confidentiality of the information.

The Company has requested that this information be treated as trade secret in all of its regulatory filings and other sharing of this information with governmental entities.

- 4. A general description of the persons or entities that would obtain economic value from disclosure or use of the information.**

Other entities from which Xcel Energy purchases power and generation facilities (or could purchase power and generation facilities in the future) and other utilities would obtain economic value from disclosure of this information. Additionally, any entity that could derive value from customer information such as vendors of utility related services, behind-the-meter generation and other entities interested in marketing to utility customers.

- 5. A specific description of the persons or entities that would obtain economic value from disclosure or use of the information.**

See response to No. 4 above.

- 6. A description of the efforts used to maintain the secrecy of the information.**

See response to No. 3 above.

In accordance with Section 69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material is provided in the enclosed sealed envelope which is labeled: **TRADE SECRET-PRIVATE**.

Respectfully submitted this 1st day of February, 2016

Northern States Power Company,

/s/

By: DAVID H. SEDERQUIST  
SR. CONSULTANT, REGULATION & FINANCE