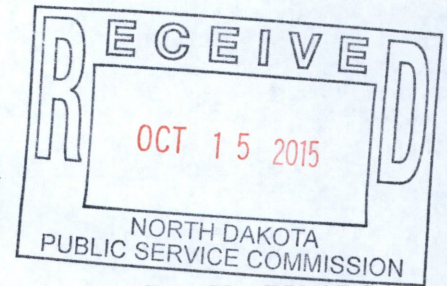


STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION



**In the Matter of**  
**Northern States Power Company**  
**Advance Prudence – 345 MW Mankato Energy Center**

**Case No. PU-15-96**  
**OAH File No. 20150094**

**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 13, 2015, 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 trade secret information identified by its application and for which trade secret protection is sought, identified as “cost information, contract terms, confidential bid information and internal modeling results, as well as information from which the foregoing may be derived, regarding the Company’s proposal to add 345 MW of natural gas combined cycle capacity and energy resources” may be offered as evidence at the hearing regarding the company’s Application for Advance Determination of Prudence in Case No. PU-15-96.

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). In addition, PSC Advocacy staff has requested trade secret protection for the testimony of Richard Polich, since his testimony and some exhibits “include information designated as trade secrets by NSP.” Advocacy Staff rely on the same reasoning for their request for trade secret protection as stated in NSP’s February 13, 2015 Application for Trade Secret Protection.

4. The information for which trade secret protection is sought is “commercial information . . . pertaining to buying and selling of goods and services that has not been previously publicly disclosed” as provided in N.D.C.C. § 44-04-18.4(2) (a), and if disclosed, could provide an unfair advantage to competitors 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, the response from Advocacy Staff, and the application for trade secret protection for Richard Polich’s testimony, and determines that the information sought to be protected is relevant for the hearing of this case, that 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.

**IT IS, THEREFORE ORDERED** as follows:

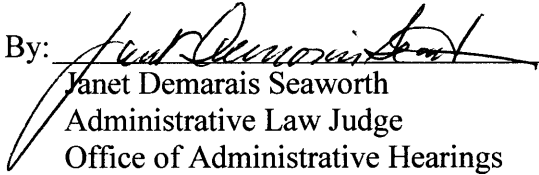
1. Northern States Power is hereby granted trade secret protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09, for the information identified in this Order.

2. Advocacy Staff is granted trade secret protection for Richard Polich’s testimony and exhibits.

3. 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 13<sup>th</sup> day of October, 2015.

North Dakota Public Service Commission

By:   
Janet Demarais Seaworth  
Administrative Law Judge  
Office of Administrative Hearings  
PO Box 7127  
Bismarck, North Dakota 58507  
Telephone: (701) 258-8098

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Northern States Power Company**  
**Advance Prudence – 345 MW Mankato Energy Center**

**Case No. PU-15-96**  
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**CERTIFICATION OF SERVICE**

The undersigned certifies that the original of the **ORDER GRANTING TRADE SECRET PROTECTION** and original of the **ORDER GRANTING PETITION TO INTERVENE** were mailed, regular mail, on the 14<sup>th</sup> day of October 2015, to:

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

and that true and correct copies of the above documents were mailed, regular mail, on the 14<sup>th</sup> day of October 2015, to

Dave Sederquist  
Senior Consultant  
Regulation and Finance  
P O Box 2747  
Fargo, ND 58108-2747

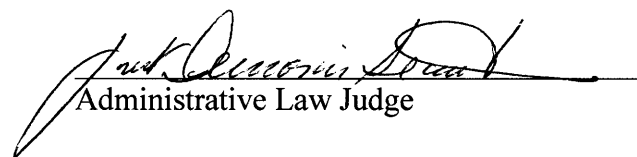
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OFFICE OF ADMINISTRATIVE HEARINGS  
Janet Demarais Seaworth

  
Administrative Law Judge