

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

**Northern States Power Company  
Deferred Accounting - Fargo MGP Project  
Application**

**Case No. PU-15-514**

**ORDER GRANTING PROTECTION OF INFORMATION**

**May 29, 2019**

On November 6, 2018 and February 7, 2019, Northern States Power Company (NSP) filed applications for Protection of Information to protect certain information in the captioned case.

The applications seek protection for information related to confidential settlement agreements with NSP's insurers and confidential settlement and purchase agreements with Heartland, Inc.

NSP's application states that this information is trade secret because it is information that "(1) [d]erives 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 or use; and (2) [i]s the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information," as provided in North Dakota Century Code Section 44-04-18.4(2)(d). NSP also states that the information sought to be protected meets the definition of "trade secret" set forth in North Dakota Century Code Section 47-25.1-01(4).

The confidentiality of this information has been maintained by NSP. 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 subject matter of the information.

The persons or entities that would obtain economic value from disclosure or use of the information include investors and potential investors in NSP. Other entities, including insurance companies, with whom the company is involved in litigation or other transactions, may obtain economic value from disclosure. NSP asserts that the confidentiality of this information has been maintained.

North Dakota Administrative Code section 69-02-09-03 provides "the commission staff shall examine the information and application, and file and serve a response that includes a recommendation on whether the information qualifies for protection."

Staff reviewed the request of NSP for protection of information. Staff believes that the application satisfies the requirements of the law, which allows the Commission to grant protection of information in this proceeding.

Having reviewed the Applications and the Staff response, the Commission concludes NSP application satisfies the requirements of the North Dakota Century Code for protection of the information.

**Order**

The Commission orders the November 6, 2018 and February 7, 2019, applications of Northern States Power Company for protection of information is GRANTED.

**PUBLIC SERVICE COMMISSION**

  
**Julie Fedorchak**  
**Commissioner**

  
**Brian Kroshus**  
**Chairman**

  
**Randy Christmann**  
**Commissioner**