

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

Northern States Power Company
Advance Prudence – 1,550 MW Wind Generation
Application

**Case No. PU-17-120
OAH File No. 20170204**

**SUPPLEMENT TO
APPLICATION FOR TRADE SECRET PROTECTION**

Northern States Power Company, doing business as Xcel Energy (Xcel Energy or the Company), respectfully requests to supplement its Application for Trade Secret Protection filed with the Commission on March 29, 2017 in the above referenced Case. The purpose of this supplement is to request trade secret protection to information not previously identified in the Company’s March 29, 2017 Trade Secret Application in this proceeding as trade secret and commercial information as defined by N.D.C.C. § 44-04-18.4 from public disclosure pursuant to N.D.C.C. § 44-04-18 *et seq.* or any other applicable public disclosure laws.

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: **PROTECTED INFORMATION – PRIVATE.**

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

The information for which Xcel Energy seeks protection includes forecasted cost information, information regarding electric grid flows, interconnections, and other items the Midcontinent Independent System Operator, Inc. (MISO) and the Company are required to keep confidential pursuant to the MISO tariff. Such information has been or will be marked as **TRADE SECRET** or **PROTECTED DATA** in our responses to data requests or may arise or be discussed in the hearing or hearings in this matter.

The Company states that this information is commercial information because it is “information pertaining to buying or selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed . . .

would cause substantial competitive injury to the person from which the information as obtained,” as provided in N.D.C.C. § 44-04-18.4(2)(a).

The Company further 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 N.D.C.C. § 44-04-18.4(2)(d). The Company also states that the information sought to be protected meets the definition of “trade secret” set forth in N.D.C.C. § 47-25.1-1(4).

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

Information required to be kept confidential pursuant to the MISO tariff, including information regarding electric grid flows and interconnections, could have economic value to third parties who could obtain a business advantage by knowing this information to impact markets. Information regarding interconnection to the MISO system also has value as it is not publicly known and could be used to determine the Company’s estimates of interconnection matters. Further, information of this type may have been obtained from third parties who also wish to keep it from being publicly known.

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

The confidentiality of this information has been maintained by Xcel Energy. 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 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 in North Dakota or other states.

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

The persons or entities that would obtain economic value from disclosure or use of the information include third parties that could obtain a business advantage from acquiring information regarding generation and modeling to impact markets and other transmission-related information. Further, information related to the nature of the electric grid could advantage third parties seeking to negatively impact the electric grid. Disclosure of the information sought to be protected would provide these persons or entities with prior foreknowledge of information not readily available to the public.

5. A specific description of known competitors and competitors' goods and services that are pertinent to the tariff or rate filing.

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.

Respectfully submitted this 24th day of May, 2017

BRIGGS AND MORGAN, P.A.

By: /s/ Zeviel Simpser
Zeviel Simpser (ND ID #06794)
2200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402-2157
Telephone: (612) 977-8400
Fax: (612) 977-8650