



SMITH PORSBORG
 Schweigert Armstrong Moldenhauer & Smith
 ATTORNEYS AT LAW

May 19, 2017



Public Service Commission
 Attention: Darrell Nitschke
 600 East Boulevard Avenue, Dept. 480
 Bismarck, ND 58505-0480

In re: Otter Tail Power Company
 Advance Prudence - Merricourt Project
Application
 PU-17-141

Otter Tail Power Company
 150 MW – Merricourt Project
 Public Convenience & Necessity
 PU-17-143

Dear Mr. Nitschke:

Enclosed for filing is the Advocacy Staff's Response to Application for Trade Secret Protection with regard to the above-referenced case.

Respectfully,

MITCHELL D. ARMSTRONG
 Special Assistant Attorney General for
 Public Service Commission

- Sheldon A. Smith*
- Scott K. Porsborg***•
- Suzanne M. Schweigert*
- Mitchell D. Armstrong**■
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amh
 enclosure
 cc: ALJ Patrick J. Ward (w/ enc.)
 Cary Stephenson (w/ enc.)
 Illona Jeffcoat-Sacco (w/ enc.)

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18	PU-17-143 Filed: 5/22/2017 Pages: 5 Response to Application for Trade Secret Protection	.c E 7C	
	Public Service Commission Advocacy Staff Counsel Mitch Armstrong, SAAG		
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	Public Service Commission Advocacy Staff Counsel Mitch Armstrong, SAAG		

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Power Company
Advance Prudence - Merricourt Project
Application**

Case No.: PU-17-141

**Otter Tail Power Company
PC&N – Merricourt Wind
Application**

Case No.: PU-17-143

ADVOCACY STAFF'S RESPONSE

TO APPLICATION FOR TRADE SECRET PROTECTION

On April 10, 2017, Otter Tail Power Company (“OTP”) filed an application for trade secret protection. OTP seeks protection of specific cost estimate data related to stages of the project. Advocacy Staff does not object to the application for trade secret protection for this information as it appears it has independent economic value (actual or potential) as explained in OTP’s trade secret application, with one exception. Advocacy Staff does not believe the estimated total capital cost of the project is subject to trade secret protection. While the other factors listed in the application could derive independent economic value, the total capital cost (p. 7, first claimed protection; Synstelien Direct p. 1, lines 1-2; McMahon Direct, p. 4, lines 15-16) does not appear to derive independent economic value, and is an important piece of information for the public’s knowledge with respect to the application and requested prudence determination. Therefore, Advocacy Staff objects to trade secret protection for the estimated total capital cost of the project, but does not object to the remainder of the application for trade secret protection.

Dated this 19th day of May, 2017.

By: _____

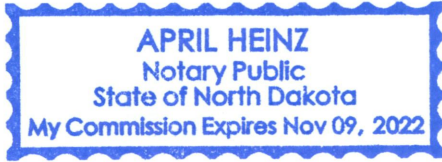


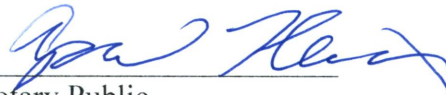
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Anna Heinen

Subscribed and sworn before me this 19th day of May, 2017.





Notary Public
Burleigh County, North Dakota