

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

**Otter Tail Power Company's  
Annual Compliance Filing:  
Economic Development Rider Model  
Compliance Filing**

**Case No. PU-17-238**

**APPLICATION FOR TRADE SECRET PROTECTION**

Pursuant to N.D. Admin. Code Chapter 69-02-09, Otter Tail Power Company (Otter Tail) respectfully requests that the Commission issue a trade secret protective order in the above-referenced cases. The purpose of the requested protective order is to protect against public disclosure of trade secret or proprietary information, as defined by NDCC §§ 47-25.1-01(4) and 44-04-18.4.

The specific information for which Otter Tail seeks trade secret protection includes the following items contained in the Compliance filing, filed in the above referenced cases:

- Otter Tail's Economic Development Model, which is designated as Attachment 1 to Otter Tail's Compliance Filing. Attachment 1, a spreadsheet provided on a CD<sup>1</sup>, includes all company-related marginal costs and proposed investments to serve potential customers as well as estimates of customer billing determinants and related bill calculations.

This information has been marked as TRADE SECRET in the Application and supporting testimony.

The above-referenced information is either not publicly available, is confidential business information, was prepared specifically for Otter Tail with data inputs unique to Otter Tail, or is subject to agreements that require the ongoing confidentiality of the information. The

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<sup>1</sup> Otter Tail stands ready to provide a demonstration of the model to the Commission Staff

confidentiality of this information has been maintained by Otter Tail. The information, therefore, is not readily ascertainable by proper means by other persons.

Vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information, to the detriment of Otter Tail and the customers we serve. If publicly available, vendors could use the information to their advantage in competing for project procurement opportunities, while competitors could use the information to leverage their rate positions in the marketplace to Otter Tail's detriment.

In accordance with N.D. Admin. Code § 69-02-09-02, one copy of the trade secret material is provided in the enclosed sealed envelope labeled PROTECTED INFORMATION – PRIVATE.

Respectfully submitted this 29<sup>th</sup> day of November , 2019.

OTTER TAIL POWER COMPANY

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