



Public Service Commission  
State of North Dakota

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November 1, 2017

Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Blvd. Ave. Dept. 408  
Bismarck, ND 58505-0480

*via hand delivery*

Re: Montana-Dakota Utilities Co.  
a Division of MDU Resources Group, Inc.  
Advance Prudence – Thunder Spirit Wind Expansion  
Application

Case No. PU-17-268

Montana-Dakota Utilities Co.  
a Division of MDU Resources Group, Inc.  
Thunder Spirit Wind Expansion Project  
Public Convenience & Necessity

Case No. PU-17-269

Dear Mr. Nitschke:

Enclosed is a Staff Response to the 30 June 2017 Application for Protection of Information in the captioned two cases.

Best regards,

John Schuh  
Legal Counsel

c:w/encl: Karl Liepitz  
Tamie Aberle

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**Staff Response to Application for Protection of Information**

Public Service Commission  
John Schuh, Legal Counsel

**12** **PU-17-268** Filed: 11/1/2017 Pages: 4  
**Staff Response to Application for Protection of Information**

Public Service Commission  
John Schuh, Legal Counsel


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION** was, on November 1<sup>st</sup> 2017, served on the following by regular mail:

Karl Liepitz  
Assistant General Counsel  
MDU Resources Group, Inc.  
PO Box 5650  
Bismarck, ND 58506-5650

Tamie Aberle  
Director of Regulatory Affairs  
Montana-Dakota Utilities Co.  
400 North 4<sup>th</sup> Street  
Bismarck, ND 58501

Dated this 1<sup>st</sup> day of November 2017.

  
\_\_\_\_\_  
John Schuh  
Legal Counsel

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

**Montana-Dakota Utilities Co.**  
**a Division of MDU Resources Group, Inc.**  
**Advance Prudence - Thunder Spirit Wind Expansion**  
**Application**

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**STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION**

On 30 June 2017, Montana-Dakota Utilities Co. (Montana-Dakota or the Company) filed an application for protection of information which Montana-Dakota filed with the Commission under N.D. Admin. Code § 69-02-09-04, qualifying as an exemption to N.D.C.C. section 44-04-18.4.

The information for which the Company seeks to protect includes: (1) 25-year levelized cost per MWh under the terms of the purchased power agreement with ACE Wind LLC, and (2) Annual revenue requirement per MWh for the Company's ownership of the Thunder Spirit Expansion.

The Company asserts that the information is not publicly available and is confidential business information prepared specifically for Montana-Dakota; Vendors and competitors would have the opportunity to obtain economic value from disclosure of the information to the Company's disadvantage by leveraging their rate positions in the marketplace and competing for projects.

Staff believes that Montana-Dakota's application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this

request. The Commission's process provides a means for interested parties to review protected documents upon signing a nondisclosure agreement.

For reasons set forth above, Staff recommends that the Commission grant the application of Montana-Dakota to protect certain information filed in this case.

Dated this 1<sup>st</sup> day of November, 2017.



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John Schuh  
Legal Counsel  
North Dakota Public Service Commission