

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

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

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Geralyn R. Schmaltz** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **1st** day of **November, 2017**, she deposited in the United States Mail, Bismarck, North Dakota, **2** envelopes by first class mail, fully prepaid a copy of:

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

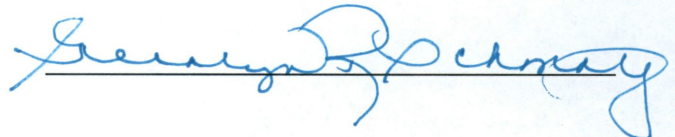
The envelopes were addressed as follows:

Tamie Aberle  
Director of Regulatory Affairs  
Montana-Dakota Utilities Co.  
400 North Fourth Street.  
Bismarck, ND 58501

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

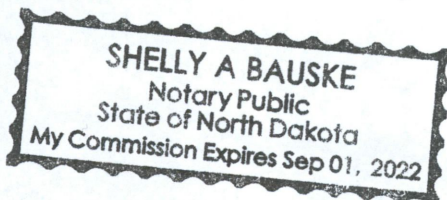
The post office addresses shown are the respective addressee's last reasonably ascertainable post office addresses.

Subscribed and sworn to before me  
this **1st** day of **November, 2017**.



  
Notary Public

SEAL



15 **PU-17-269** Filed: 11/1/2017 Pages: 5  
Affidavit of Service, Reg. Mail - Staff Response to  
Application for Protection of Information

13 **PU-17-268** Filed: 11/1/2017 Pages: 5  
Affidavit of Service, Reg. Mail - Staff Response to  
Application for Protection of Information



Public Service Commission  
State of North Dakota

COMMISSIONERS

Randy Christmann  
Julie Fedorchak  
Brian Kroshus

Executive Secretary  
Darrell Nitschke

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: www.psc.nd.gov  
E-mail: ndpsc@nd.gov  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

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.  
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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

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

Public Service Commission  
John Schuh, Legal Counsel

c:w/encl: Karl Liepitz  
Tamie Aberle

**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

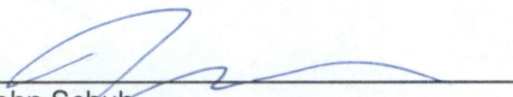
**CERTIFICATE OF SERVICE**

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.**  
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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.

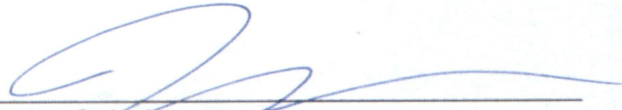
The Company asserts that the information is not publicly available and is confidential business information prepared specifically for Montana-Dakota; Vendors and competitors would have the opportunity to obtain economic value from disclosure of the information to the Company's disadvantage by leveraging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

A handwritten signature in blue ink, appearing to read "John Schuh", is written over a horizontal line.

John Schuh  
Legal Counsel  
North Dakota Public Service Commission