

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

In the Matter of the Application of Otter Tail
Power Company for Authority to Increase
Rates for Electric Service in North Dakota

Case No. PU-17-

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code §§ 69-02-09-01 and 69-02-09-04, Otter Tail Power Company (Otter Tail) respectfully requests that the Commission issue a trade secret protective order in the above-referenced case. The purpose of the requested protective order is to protect trade secret and commercial information from public disclosure pursuant to N.D.C.C. § 44-04-18 *et seq.* or any other applicable public disclosure laws.

The specific information for which Otter Tail seeks trade secret protection includes the following items filed in the above referenced case:

- Sales and revenue forecast data and methodologies contained in the Direct Testimony, attachments and supporting schedules of Otter Tail witness Brian H. Draxten; and
- Employee compensation & benefits data, surveys and benchmarking contained in the Direct Testimony, attachments, and supporting schedules of Otter Tail witness Peter E. Wasberg.

This information has been marked as NOT PUBLIC and/or PROTECTED DATA.

The above-referenced information is confidential trade secret, proprietary, commercial and financial information under N.D.C.C. § 44-04-18.4 (1)(2), and trade secret information as set forth in N.D.C.C. § 47-25.1-01(4). The information not publicly available, is confidential and proprietary 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 confidentiality of this information has been maintained by Otter Tail and is not readily ascertainable by proper means by other persons.

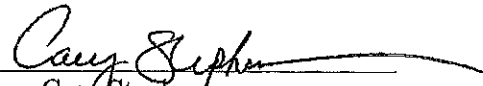
Vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information, to the detriment of Otter Tail and the customers we serve. If publicly available, competitors could use the information to leverage their rate positions in the marketplace. Entities from which Otter Tail purchases power, generation facilities, other utilities and independent power producers could obtain economic value from disclosure of this information. Competitors and other business interests could gain advantages in hiring new employees and impair OTP ability to retain existing employees. If publicly available, vendors and suppliers could gain economic benefit from this information in negotiations with Otter Tail for procurement of services and goods to the detriment of Otter Tail and its customers.

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.

In addition, the Company requests that the trade secret protective order be broad enough to cover all additional information exchanged during this proceeding and qualifying for trade secret protection.

Respectfully submitted this 2nd day of November 2017.

OTTER TAIL POWER COMPANY

By 
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