

**STATE OF 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-17-398

OAH File No. 20170622

**ORDER GRANTING FURTHER PERMISSION
TO VIEW PROTECTED INFORMATION**

WalMart, Inc. ("WalMart") on June 8, 2018, requested permission to view protected information filed by Otter Tail Power Company with the North Dakota Public Service Commission ("PSC").

On January 29, 2018, this ALJ granted WalMart permission to intervene. Docket #72.

Otter Tail Power Company ("OTP") was granted permission to file certain information with trade secret protection on February 5, 2018. Docket #48.

WalMart filed its request by application to view protected information pursuant to North Dakota Administrative Code Section 69-02-09-07(2). That request identifies three individuals, Rebecca Mann, Talbot Wieczorek and Stephen W. Chriss, and further identifies the information they would like to view as non-public testimony of Advocacy Staff Witnesses Aaron Rothschild, David Dismukes and Ralph Smith.

Good cause exists to grant this request for possible use by WalMart in preparation for testimony or cross examination in the proceeding. The permission will remain open through resolution of this proceeding. I am also waiving under NDAC Rule 69-02-01-11 any requirement of the rules with regard to limiting viewing the protected information off PSC premises. This wavier applies to protected documentation which

may be provided in this proceeding to the three individuals identified by WalMart and the three individuals identified previously by MLEC. These six individuals may be provided copies off-site of the protected information as arranged with PSC staff. (Docket #s 104 & 105.)

The individuals accessing the information are required to sign a protective agreement as required of them by the Public Service Commission for access and to keep the protected information confidential and solely for use with regard to this matter, refrain from making or distributing copies and return the information as instructed by Advocacy Staff or OTP at the conclusion of this matter.

The request for authorization to view protected information within the parameters outlined in the applications, Docket #s 104 & 106, Rule 69-02-09-07 and by this Order is hereby granted.

Dated this 12th day of June, 2018.

State of North Dakota
OFFICE OF ADMINISTRATIVE HEARINGS

By: 

Patrick J. Ward ID#03626
Administrative Law Judge
ZUGER KIRMIS & SMITH
PO Box 1695
Bismarck, ND 58502-1695
701-223-2711
pward@zkslaw.com

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the following:

**ORDER GRANTING FURTHER PERMISSION TO VIEW PROTECTED
INFORMATION**

was emailed to the following:

rmann@gpna.com
Rebecca Mann
Gunderson, Palmer, Nelson & Ashmore, LLP
PO Box 8045
Rapid City, SD 57709

cstephenson@otpc.com
Cary Stephenson
Associate General Counsel
Otter Tail Power Company
PO Box 496
Fergus Falls, MN 56358-0496

jschuh@nd.gov
John Schuh
Special Assistant Attorney General
ND Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

zep@pearce-durick.com
Zachary Pelham
Advocacy Staff Counsel
Pearce Durick PLLC
PO Box 400
Bismarck, ND 58502

ijs@nd.gov

Illona Jeffcoat-Sacco
General Counsel
ND Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

dnitschk@nd.gov

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

rsavelkoul@martinsquires.com

Richard Savelkoul
Martin & Squires, P.A.
332 Minnesota St., Ste W2750
St. Paul, MN 55101

kmaini@visi.com

Kavita Maini
KM Energy Consulting, LLC
961 North Lost Woods Road
Oconomowoc, WI 53066

tjw@gpna.com

Talbot J. Wieczorek
Gunderson, Palmer, Nelson & Ashmore
PO Box 8045
Rapid City, SD 57709-8045

Stephen.chriss@wal-mart.com

Stephen Chriss
Wal-Mart Legal Department
2001 SE 10th Street
Bentonville, AR 72715-5560

Dated this 12th day of June, 2018.

State of North Dakota
OFFICE OF ADMINISTRATIVE HEARINGS

By: 

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