

STATE OF NORTH DAKOTA
BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION

Northern States Power Company –
Advance Prudence – Acquisition of 375 MW Mankota Energy Center
& 345 MW Mankota Energy Center II

Case No. PU-18-403

ORDER GRANTING TRADE SECRET PROTECTION
FOR MICHAEL J. MAJOROS, JR. TESTIMONY

1. Northern States Power Company, a Minnesota corporation, doing business as Xcel Energy, (“NSP”, “Xcel” or the “Company”), applied for trade secret protection on December 17, 2018, pursuant to N.D. Admin. Code § 69-02-09-01, and requested a protective order in accordance with the provisions of the N.D. Admin. Code. (Docket #4)

2. The trade secret information identified by their application may be offered as evidence for the hearing regarding the company’s Application for Advance Determination of Prudence to add 375 MW Mankato Energy Center and 345 MW Mankato Energy Center II.

3. Commission staff responded on February 20, 2019, as required by N.D. Admin. Code § 69-02-09-03, and made a prima facie recommendation that the information is relevant for the hearing of this case and is a trade secret as defined by N.D.C.C. § 47-25.1-01(4). (Docket #15)

4. This Hearing Officer fully reviewed and considered the application of Northern States Power and the recommendations of commission staff, and determined on March 19, 2019, that the information is relevant for the hearing of this case, that the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4), and that the

information is entitled to protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09, all as set forth above. (Docket #16)

5. On June 12, 2019, staff advised it had entered into a Non-Disclosure Agreement with NSP to expedite discovery and now requests Trade Secret Protection for the testimony of its expert, Michael J. Majoros, Jr., because portions of Mr. Majoros' testimony and the attached exhibits include information previously designated as trade secret. (Docket #28)

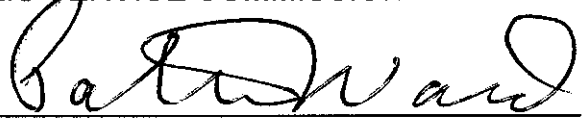
IT IS, THEREFORE,

ORDERED that Advocacy Staff is hereby granted trade secret protection to file the complete testimony of Michael J. Majoros, Jr. pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09 for the information identified in my earlier Order dated March 19, 2019 (Docket #16); and it is further

ORDERED that this order shall not constitute precedent for a determination of entitlement to trade secret protection for any information submitted upon any subsequent application.

Dated: July 8th, 2019

NORTH DAKOTA
PUBLIC SERVICE COMMISSION

By: 
Patrick J. Ward
Administrative Law Judge

CERTIFICATE OF SERVICE

The undersigned certified that complete and correct copies of the ORDER GRANTING TRADE SECRET PROTECTION FOR MICHAEL J. MAJOROS, JR. were sent by email on July 8, 2019, to:

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