

STATE OF NORTH DAKOTA
BEFORE THE
NORTH DAKOTA PUBLIC SERVICE COMMISSION

Northern States Power Company
Advance Prudence – 151.2 MW Dakota Range III
Application

Case No. PU-18-430

ORDER GRANTING SUPPLEMENTAL TRADE SECRET PROTECTION

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 27, 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.

2. The trade secret information identified by their application may be offered as evidence for the hearing regarding the company’s proposed Power Purchase Agreement to add a 151.2 MW wind facility known as Dakota Range III Wind Project.

3. Commission staff on February 20, 2019, as required by N.D. Admin. Code § 69-02-09-03, have 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), except for portions of the Brian Shea testimony on page 9, lines 4-15.

4. This hearing officer granted the Xcel initial request for Trade Secret Protection on January 11, 2019. Docket #17.

5. Thereafter, on May 2, 2019, NSP filed its First Supplement to Application for Trade Secret Protection requesting that certain information produced in discovery regarding an unrelated application for electric service in Minnesota might also be relevant to the issues in this case and some of the contents of that file contain sensitive

previously nonpublic information which also requires trade secret protection. Docket #21.

6. On May 15, 2019, Advocacy staff replied that it has no objection to the Supplemental request by Xcel for additional trade secret protection. Docket #22.

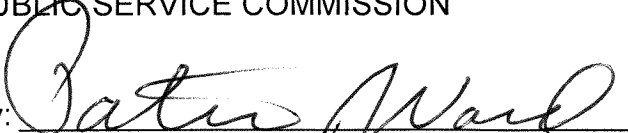
IT IS, THEREFORE,

ORDERED that Northern States Power is hereby granted supplemental trade secret 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 for the information identified in the First Supplement to Application for Trade Secret Protection (Docket #21) regarding additional sensitive information in the Minnesota electric case petition which has never been publicly disclosed and needs protection under applicable law; 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: 5/21/19, 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 were sent by email on May 21, 2019, to:

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Patrick J. Ward
Administrative Law Judge