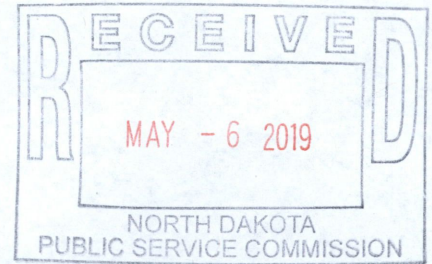


**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF
NORTHERN STATES POWER COMPANY
FOR APPROVAL OF A VARIANCE TO THE
FUEL COST RIDER TO DELIVER TO
CUSTOMERS PROCEEDS FROM THE
SHERCO UNIT 3 OUTAGE LITIGATION
SETTLEMENT

CASE No. PU-19-___



APPLICATION FOR TRADE SECRET PROTECTION

Northern States Power Company (Xcel Energy or the Company) respectfully requests the North Dakota Public Service Commission (Commission) enter a trade secret protective order in the above-referenced Case pursuant to Chapter 69-02-09 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect trade secret and commercial information as defined by N.D.C.C. § 44-04-18.4 from public disclosure pursuant to N.D.C.C. § 44-04-18 *et seq.* or any other applicable disclosure laws.

In accordance with Section 69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material is provided in the enclosed sealed envelope which is labeled: **PROTECTED INFORMATION – PRIVATE.**

- 1. A general description of the nature of the information sought to be protected.**

The information for which the Company seeks protection is subject to a confidential settlement agreement between the Company and a third party, the terms of which prohibit the Company from publicly disclosing the Settlement Amount, or calculations that could reveal the Settlement Amount. We have marked this information as trade secret in our Application in the above-referenced Case.

The Company states that this information is commercial information because it is “information pertaining to buying and selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed . . . would cause substantial competitive injury to the person from which the information was obtained,” as provided in N.D.C.C. § 44-04-18.4(2)(a).

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Application for Protection of Information

Northern States Power Company

Ryan Long

The Company further states that the information is trade secret because it is information that “(1) [d]erives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons that can obtain economic value from its disclosure or use; and (2) [i]s the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information,” as provided in N.D.C.C. § 44-04-18.4(2)(d). The Company further states that the information sought to be protected meets the definition of “trade secret” set forth in N.D.C.C. § 47-25.1-01(4).

2. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.

The information could have economic value to other entities that have, or may in the future have, commercial or other disputes, including litigation, with either the Company or GE.

3. An explanation of why the information is not readily ascertainable by proper means by other persons.

The information is not disclosed to the public or to persons other than employees of Xcel Energy, General Electric Company, General Electric International, Inc., GE Energy Services, Inc., and GE Energy Control Solutions, Inc. (collectively, GE), the court, or authorized agents who need to know the information to fulfill their responsibilities in connection with the Company’s proposal, or to third persons pursuant to nondisclosure agreements to maintain the confidentiality of the information.

The Company has requested that this information be treated as trade secret in all of its regulatory filings and other sharing of this information with governmental entities.

4. A general description of known competitors and competitors’ goods and services that are pertinent to the tariff or rate filing.

Other entities with which Xcel Energy enters into business transactions, including the purchasing and selling of assets, could obtain economic value from disclosure of this information.

5. A specific description of known competitors and competitors' goods and services that are pertinent to the tariff or rate filing.

See response to No. 4 above.

6. A description of the efforts used to maintain the secrecy of the information.

See response to No. 3 above.

Respectfully submitted this 6th day of May, 2019.

By: /s/ Ryan J. Long
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