

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Northern States Power Company
Integrated Resource Plan
Information**

Case No. PU-19-220

STAFF RESPONSE TO THE REQUEST FOR PROTECTION OF INFORMATION

On July 2, 2019 Northern States Power Company (Xcel Energy or the Company), filed an application for trade secret protection pursuant to North Dakota Administrative Code Section 69-02-09-1 for protection from public disclosure as a "Trade secret" as defined by North Dakota Century Code Section 47-25.1-01(4). The stated purpose is to protect any trade secret and commercial information pursuant to North Dakota Century Code § 44-04-18.4, or any other applicable disclosure laws.

The information for which the Company seeks protection includes private customer data and forecast data of annual system consumption and generation information with related technical studies, forecasted capital and O&M cost details, and critical infrastructure security data which have been marked as trade secret in the above referenced case.

The Company further states that the private customer data, forecast data of annual system consumption and generation information with related technical studies, forecasted capital and O&M cost details and critical infrastructure security data is trade secret because it is information that "(1) derives 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; and (2) is the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the

information,” as provided by North Dakota Century Code Section 44-04-18.4(2)(d). The Company also states that the information sought to be protected meets the definition of “trade secret” set forth in North Dakota Century Code Section 47-25.1-01(4).

The information could have economic value to potential vendors, contractors, and suppliers as well as participants in the organized energy and capacity markets. Additionally, customer information could have economic value to vendors or services to utilities and their customers. Such a result could be harmful for the Company’s customers in North Dakota.

The confidentiality of this information has been maintained by the Company. The information is not disclosed to the public or to persons other than employees 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 agreement to maintain the confidentiality of the information.

Staff has reviewed the request of the Company. Staff believes that the Company’s application satisfies the requirements of the North Dakota Century Code for protection of the information which is the subject of this request. For reasons set forth above, Staff recommends that the Commission grant the application of Northern States Power Company to protect certain filed information in the captioned case.

Dated this 30th day of September 2019.



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