



**Public Service Commission**  
State of North Dakota

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June 17, 2020

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

*via Hand Delivery*

Re: Case No. PU-20-245  
Dakota Natural Gas, LLC  
Gas Transportation – American Crystal Sugar Co.  
Tariff and Rates

Dear Mr. Kahl:

Enclosed is a copy of the Staff Response To Application For Protection Of Information to be filed in the above captioned case.

Best Regards,

Brian Johnson  
Legal Counsel

Enclosure

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

**Dakota Natural Gas, LLC**  
**Gas Transportation – American Crystal Sugar Co.**  
**Tariff and Rates**

**Case No. PU-20-245**

**STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION**

On June 2, 2020, Dakota Natural Gas, LLC (DNG) filed an Application for Protection of Information to protect certain information in the captioned case.

The information for which DNG seeks protection includes the audited financial statements for 2019.

DNG's application states that this 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 North Dakota Century Code Section 44-04-18.4(2)(d). DNG 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). Such information has been marked as TRADE SECRET in DNG's responses to data requests and in the pre-filed testimony submitted by DNG, or may arise or be discussed in the hearing or hearings in this matter.

The confidentiality of this information has been maintained by DNG. 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 subject matter of the information.

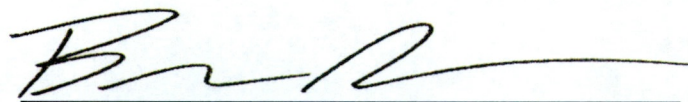
DNG has requested that this, and similar types of this information, be treated as trade secret in all of DNG's regulatory filings and other sharing of this information with governmental entities.

The persons or entities that would obtain economic value from disclosure or use of the information include competitors, suppliers and/or other members of the public who could obtain economic value; and other utilities. Disclosure of the information sought to be protected would provide these persons and entities prior foreknowledge of information not readily available to the public.

Staff believes that DNG'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 NSP to protect certain information filed in the captioned case.

Dated this 17<sup>th</sup> day of June, 2020.



Brian Johnson  
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