

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
2020 Natural Gas Rate Increase
Application

Case No. PU-20-379

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On October 14, 2020, Montana-Dakota Utilities Company (MDU), filed an application for a protective order under North Dakota Administrative Code Section 69-02-09 for protecting against public disclosure protected information as defined by North Dakota Century Code Section 47-25.1-01(4).

The information for which MDU seeks protection The Company requests trade secret protection for Data Request No. 2.1, as it requests information related to confidential reports received from outside sources. This information has independent economic value because it is not readily ascertainable by proper means by other persons. The confidential information is considered trade secret, as it provides an economic advantage to others.

MDU's application states that this information is confidential information because " This information has independent economic value because it is not readily ascertainable by proper means by other persons. The confidential information is considered trade secret, as it provides an economic advantage to others" as provided for in North Dakota Century Code Section 44-04-18.4(1) and (2).

The information could have economic value to potential vendors and suppliers who may desire to bid to provide natural gas or natural gas services to MDU. Such a result could be harmful for MDU's customers.

The confidentiality of this information has been maintained by MDU. 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 MDU's natural gas increases, or to third persons pursuant to nondisclosure agreement to maintain the confidentiality of the information. MDU has requested that this information be treated as trade secret in all of its gas increases.

North Dakota Administrative Code Section 69-02-09-03 requires that the Commission staff examine the information and application and make a recommendation to the Commission.

Staff believes that the application satisfies the requirements of the North Dakota Century Code for protection of information.

For reasons set forth above, Staff recommends that the Commission grant the application of MDU to protect certain information filed in this case.

Dated this 23rd day of November, 2020.



Brian Johnson
Special Assistant Attorney General Bar ID 07397
North Dakota Public Service Commission
600 East Boulevard Avenue Dept. 408
Bismarck ND, 58505
701-328-2407