

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana Dakota Utilities Co.
Cost of Gas 2021
Tariff Monthly Adjustments

Case No. PU-21-08

ORDER ON PROTECTION OF INFORMATION

October 20, 2021

Preliminary Statement

On January 12, 2021, Montana Dakota Utilities Co. filed an Application for Protection of Information to protect certain information in the captioned case.

On July 28, 2021, staff reviewed the request of the Company for protection of information.

Discussion

The information for which the Company seeks protection under N.D.C.C. 47-25.1-01(4), 44-04-18.4, and N.D. Admin. Code chapter 69-02-09-04 includes cost of gas information related to commodity pricing.

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 subject matter of the information, would derive economic value to competitors, and damage the bidding process which ultimately would hurt consumers.

The Company has requested that this, and similar types of this information, be treated as trade secret.

North Dakota Administrative Code section 69-02-09-03 provides “the commission staff shall examine the information and application, and file and serve a response that includes a recommendation on whether the information qualifies for protection.”

The persons or entities that would obtain economic value are potential vendors and suppliers who may desire to bid to provide natural gas or natural gas services to MDU. In particular, potential suppliers would know what MDU has determined to be the cost range for certain components of its supply needs and consequently the cost range could potentially serve as a floor, below which no bidder would submit a bid price. Such a result could be harmful for MDU's customers.

Staff believes that the application satisfies the requirements of the law, which allows the Commission to grant protection of information in this proceeding.

The Commission concludes 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.

Order

The Commission orders the January 12, 2021, application of Montana Dakota Utilities Co. for protection of information is GRANTED.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner