

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Power Company
Cogeneration – Small Power Production
Rates**

Case No. PU-21-26

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

January 19, 2021, Otter Tail Power Company filed an application for a protective order under North Dakota Administrative Code Section 69-02-09-01 for protecting against public disclosure protected information as defined by North Dakota Century Code 47-25:1-01(4) pursuant to N.D.C.C 44-04-18.4.

The information for which the Company seeks protection includes specific 2019 wind and solar renewable energy credits pricing and sales.

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, and that the information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; is the subject of efforts that are reasonable under the circumstances to maintain its secrecy; and constitutes information would be economically harmful to the company and ultimately to its consumers.

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

Dated this 26th day of July 2021.



Brian Johnson
Staff Attorney
North Dakota Public Service Commission