

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Northern States Power Company  
Feb. 2021 Extreme Weather Event  
Investigation

Case No. PU-21-102

Northern States Power Company  
Feb. 2021 Extreme Weather Event  
Investigation

Case No. PU-21-105

AFFIDAVIT OF SERVICE BY CERTIFIED AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Geralyn R. Schmaltz** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **4th day of April 2022**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order on Protection of Information**

The envelope was addressed as follows:

Dave Sederquist  
Sr. Consultant, Regulation & Finance  
Xcel Energy  
2302 Great Northern Drive  
Fargo, ND 58102  
**Cert. No. 7021 2720 0001 0491 5234**

**Geralyn R. Schmaltz** further deposes and says that on the **4th day of April 2022**, she sent an electronic message to **two** addressees, each including an electronic copy in portable document format of the same document.

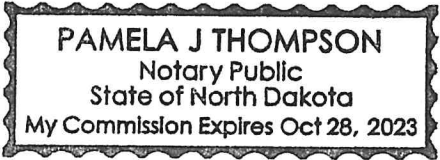
The electronic mails were addressed as follows:

David Sederquist  
Sr. Consultant, Regulation & Finance  
Xcel Energy  
[dave.sederquist@xcelenergy.com](mailto:dave.sederquist@xcelenergy.com)

Regulatory Records  
Xcel Energy  
[regulatory.records@xcelenergy.com](mailto:regulatory.records@xcelenergy.com)

The addresses shown is the respective addressee's last reasonably ascertainable post office and electronic addresses.

Subscribed and sworn to before me  
this **4th day of April 2022**.



*[Handwritten Signature]*  
\_\_\_\_\_  
*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

SEAL

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

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**ORDER ON PROTECTION OF INFORMATION**

**MARCH 30, 2022**

On April 9, 2021, Northern States Power Company (NSP or Company) filed an Application for Protection of Information to protect certain information in the captioned cases. The information for which the Company seeks protection includes customer specific data and information about their gas distribution system that the Company protects from public release because the information could be manipulated to reveal the location and size of facilities serving customers, company gas procurement strategy, and availability of Load Modifying Resources.

The Company states that the protected specific details about the Company gas procurement strategy and availability of Load Modifying Resources is commercial information because it is "information pertaining to buying and selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed... would cause substantial competitive injury to the person from which the information was obtained," as provided in N.D.C.C. § 44-04-18.4(2)(a).

The Company further states that the protected specific details about the Company gas procurement strategy and availability of Load Modifying Resources 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 in N.D.C.C. § 44-04-18.4(2)(d). The Company further states that the information sought to be protected meets the definition of "trade secret" set forth in N.D.C.C. § 47-25.1-01(4).

The information could have economic value to potential vendors and suppliers from whom the Company will purchase gas and energy supply as they would know details about the amount and type of natural gas the Company seeks to purchase, or the Load Modifying Resources the Company may have available to it in a future pricing event. Knowing this type of information could potentially impact the prices vendors or suppliers

are willing to offer the Company in future transactions. Such a result could be harmful for the Company's customers in North Dakota.

The confidentiality of this information has been maintained by NSP. 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.

NSP has requested that this, and similar types of this information, be treated as trade secret in all of NSP'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 investors and potential investors in NSP; entities with which NSP currently conducts or may conduct business; 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 reviewed the request of NSP for protection of information. Staff believes that the application satisfies the requirements of the law, which allows the Commission to limit access to and release of the information.

Having reviewed the application and staff response, the Commission concludes that it is in the public interest to limit access to the information according to staff's recommendations.

### Order

The Commission orders:

1. The specified information be withheld from public disclosure and the Public Service Commission website.
2. That availability to the specified information be limited to the administrative law judge, the Commission, counsel, and siting analysts assigned to the captioned case.

### PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Randy Christmann                      Julie Fedorchak                      Sheri Haugen-Hoffart  
Commissioner                              Chair                              Commissioner