

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Natural Gas, LLC
Feb. 2021 Extreme Weather Event
Investigation

Case No. PU-21-103

ORDER ON PROTECTION OF INFORMATION

October 20, 2021

Preliminary Statement

On May 5, 2021, Dakota Natural Gas (DNG) filed an Application for Protection of Information to protect certain information in the captioned case.

On July 26, 2021, staff reviewed the request of DNG for protection of information.

Discussion

The information for which DNG seeks protection includes information regarding gas commodity pricing including supplier costs and volume.

The application further states that 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 DNG. In particular, potential suppliers would know what DNG 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 DNG's customers.

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 are potential vendors and suppliers who may desire to bid to provide natural gas or natural gas services to DNG. In particular, potential suppliers would know what DNG 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 DNG's customers.

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.”

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 DNG’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 May 5, 2021, application of Dakota Natural Gas for protection of information is GRANTED.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner