

400 North Fourth Street
Bismarck, ND 58501
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July 13, 2021

Executive Secretary
North Dakota Public Service Commission
State Capitol Building
Bismarck, ND 58505-0480

Re: Mandan Reroute Project
TRADE SECRET – PRIVATE
Case No. PU-21-151

Montana-Dakota Utilities Co. (Montana-Dakota) herewith submits the Technical Memorandum compiled by SWCA Environmental Consultants on behalf of Montana-Dakota. The Technical Memorandum includes Cultural Resources Survey Mapping and Montana-Dakota's Safety and Emergency Plan and Avian Protection Plan. These three Attachments to the Technical Memorandum have been marked "CONTAINS PRIVILEGED INFORMATION – DO NOT RELEASE".

Montana-Dakota has also included an Application for Trade Secret Protection of the Technical Memorandum as it contains confidential information that is integral to the Mandan Reroute Project Siting and results presented in the Technical Memorandum but is not intended for public dissemination.

Sincerely,



Travis R. Jacobson
Director of Regulatory Affairs

Attachments

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

Public Service Commission
Montana-Dakota Utilities Co.
Mandan Reroute Project
Technical Memorandum

Case No. PU-21-151

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code § 69-02-09-01, Montana-Dakota Utilities Co. (Montana-Dakota) respectfully requests that the North Dakota Public Service Commission (Commission) issue a trade secret protective order under N.D. Admin. Code § 69-02-09-04 and N.D.C.C. § 44-04-18.4(1) and (2). The purpose of the requested protective order is to protect against public disclosure of trade secrets as defined by N.D.C.C. §47-25.1-01(4).

I.

Montana-Dakota has filed requesting Siting Certification for the Mandan Reroute Project. Pursuant to N.D.C.C. § 49-22-03(3)(a)(2), Montana-Dakota has contracted with SWCA Environmental Consultants (SWCA) to provide a Technical Memorandum identifying activities that affect any known cultural resource areas. SWCA's Technical Memorandum contains confidential cultural resource location information that is integral to performing the analyses and results presented in the Technical Memorandum but is not intended for public dissemination. The Commission has also requested Montana-Dakota's Safety and Emergency and Avian Protection Plans, both of which contain confidential information.

II.

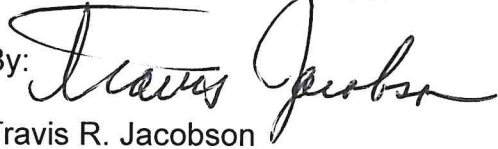
Montana-Dakota requests an Order protecting the information necessary to identify activities that affect any known cultural resource exclusion or avoidance areas included herein and subsequent submittals of similar nature. Likewise, Montana-Dakota is requesting an Order protecting the information included in the Company's Safety and Emergency Plan and Avian Protection Plan.

III.

In accordance with N.D. Admin. Code § 69-02-09-02, Montana-Dakota now submits one copy of the trade secret.

Dated this 13th day of July 2021.

Montana-Dakota Utilities Co.

By: 

Travis R. Jacobson