

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Natural Gas, LLC
2020 Gas
Annual Report

Case No. PU-21-340

ORDER ON PROTECTION OF INFORMATION

October 6, 2021

Preliminary Statement

On July 28, 2021 Dakota Natural Gas, LLC (DNG), filed an application for protection of information pursuant to North Dakota Administrative Code Section 69-02-09 requesting a protective order limiting disclosure of "Trade Secret" information as defined by North Dakota Century Code Section 47-25.1-01(4).

On August 30, 2021, Commission Staff reviewed the request and believes that the application satisfies the requirements required to grant protection of information in this proceeding as long as the retail sales is not redacted.

Discussion

The information for which DNG seeks protection is its 2020 Annual Regulated Earnings Report.

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 and/or competitors would gain sensitive financial information that DNG has kept confidential and could cause substantial competitive injury.

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 DNG's Annual Regulated Earnings Report, or to third persons pursuant to nondisclosure agreement to maintain the confidentiality of the information

North Dakota Century Code Section 44-04-18.4(1) authorizes protection of commercial and financial information if the information is privileged; the information has not been previously publicly disclosed; and disclosure would cause competitive injury to the person providing the information or impair the Commission from obtaining necessary information in the future. N.D.C.C. § 44-04-18.4(2)(a)-(b).

Having reviewed DNG's application and Commission Staff's recommendation, the Commission has determined that the information satisfies the requirements of North Dakota Century Code for protection of information and a public version of the document shall be refiled with the retail sales data not redacted.

ORDER

The Commission orders the July 28, 2021 application of Dakota Natural Gas, LLC for Protection of Information is GRANTED and a new public version with retail sales data unredacted be filed.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner