

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Otter Tail Power Co/Northern Plains Electric Coop
Jamestown, North Dakota
Service Area Agreement**

Case No. PU-21-364

**Otter Tail Power Co/Northern Plains Electric Coop
Jamestown, North Dakota
Public Convenience & Necessity**

Case No. PU-21-365

**Otter Tail Power Company
Super Large General Service Agreement
Rates**

Case No. PU-21-366

ORDER ON PROTECTION OF INFORMATION

January 18, 2022

Preliminary Statement

On September 17, 2021, Otter Tail Power Company (OTP) filed an Application for Protection of Information to protect certain information in the captioned case.

Staff reviewed the request of OTP for protection of information.

Discussion

The information for which OTP seeks protection includes information regarding the Service Area Agreement and the location of the facility.

Such information has been marked as TRADE SECRET in OTP's responses to data requests submitted by OTP or may arise or be discussed in the hearing or hearings in this matter.

The application further states that the information is confidential business information and was prepared specifically for OTP with data inputs unique to OTP and the prospective customer.

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

The persons or entities that would obtain economic value from disclosure or use of the information include investors and potential investors in OTP; entities with which OTP 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.

The location of the facility does not meet the qualifications for protected information as it can be discerned easily. A groundbreaking was held and covered by press making the location easily ascertained by proper means by other persons.

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 OTP'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 September 17, 2021, applications of Otter Tail Power Company's requests for protection of information in the above captioned cases is GRANTED except for the location of the facility.

PUBLIC SERVICE COMMISSION

		Vacant
Randy Christmann Commissioner	Julie Fedorchak Chair	