

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**In the Matter of the Joint Application
Otter Tail Power Company and
Northern Plains Electric Cooperative
Inc. for approval of a Service Area
Agreement covering the area near
Jamestown, North Dakota under NDCC
§ 49-03-06**

Case No. PU-21-

**Joint Application for Approval of
Service Area Agreement Under
N.D.C.C. § 49-03- 06 and for a
Certificate of Public Convenience and
Necessity Under N.D.C.C. § 49-03-01**

APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code Chapter 69-02-09, Otter Tail Power Company (Otter Tail) respectfully requests that the Commission issue a trade secret protective order in the above-referenced case. The purpose of the requested protective order is to protect against public disclosure of trade secret or proprietary information, as defined by NDCC §§ 47-25.1-01(4) and 44-04-18.4.

The specific information for which Otter Tail seeks trade secret protection includes the following items contained in the Joint Application and exhibits attached thereto, filed in the above referenced case:

- Reference to the location of the prospective customer’s facility and specific provisions of the Service Area Agreement.
- Exhibit 2, the Service Area Agreement, including the map attached to the Service Area Agreement.

This information has been marked as TRADE SECRET in the Application.

The above-referenced information is not publicly available, is confidential business information, and was prepared specifically for Otter Tail with data inputs unique to Otter Tail and the prospective customer. The confidentiality of this information has been maintained by Otter Tail. Otter Tail is bound by the terms of a non-disclosure agreement to protect information

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Cary Stephenson, Assoc. Gen. Counsel

provided to it by its prospective customer. The information, therefore, is not readily ascertainable by proper means by other persons.

Vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information, to the detriment of the prospective customer, Otter Tail and the customers we serve. If publicly available, competitors to the prospective customer, vendors and others could use the information to their advantage in competing for project procurement opportunities and competitors could use the information to Otter Tail's detriment.

In accordance with N.D. Admin. Code § 69-02-09-02, one copy of the trade secret material is provided in the enclosed sealed envelope labeled **PROTECTED INFORMATION – PRIVATE**.

Respectfully submitted this 9th day of August 2021

OTTER TAIL POWER COMPANY

/s/ CARY STEPHENSON

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