

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company  
Integrated Resource Plan  
Information**

**Case No. PU-21-380**

**ORDER ON PROTECTION OF INFORMATION**

**January 18, 2022**

Preliminary Statement

On September 1, 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 the Company seeks protection includes confidential and proprietary energy and capacity forecast data and associated proprietary models, methodologies and modeling assumptions, confidential estimates for capital and operating costs of an anticipated project and non-public confidential customer energy usage data of certain large customers.

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 could have economic value to potential vendors, and bidders seeking to do business with OTP, as well as competitors. Knowledge of the Company's costs could allow bidders to potentially determine a floor below which no bidder would submit a price. Such a result could be harmful for the Company's customers, now and in the future.

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.

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 North Dakota Century Code for protection of the information, which is the subject of this request.

**Order**

The Commission orders the September 1, 2021, application of Otter Tail Power Company’s requests for protection of information in the above captioned cases is GRANTED.

**PUBLIC SERVICE COMMISSION**

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

Vacant