

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF OTTER TAIL
POWER COMPANY'S SUBMITTAL OF
ITS 2022-2036 RESOURCE PLAN

Case No. PU-21-380

APPLICATION FOR TRADE SECRET PROTECTION

COMES NOW, Otter Tail Power Company (Otter Tail) and respectfully moves the Commission for entry of a trade secret protective order under §69-02-09-01 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect against public disclosure of trade secret information as defined by NDCC §47-25.1-01(4).

The specific information which needs protection at this time is the confidential portions of its 2022-2036 Integrated Resource Plan and appendices, specifically (1) confidential and proprietary energy and capacity forecast data and associated proprietary models, methodologies, and modeling assumptions (as designated in Appendix F), and (2) confidential estimates for capital and operating costs of an anticipated project.

Otter Tail requests that trade secret protection be given to the above information. Such information has independent economic value from not being publicly known and is treated as by Otter Tail as confidential business information not subject to disclosure.

Otter Tail believes that disclosure of the information would provide a competitive advantage to vendors and bidders seeking to do business with Otter Tail as well as to Otter Tail's competitors, all the detriment to the detriment of Otter Tail's customers if Otter Tail were to incur higher costs because of the disclosure. Otter Tail also has contractual and legal obligations to third parties to maintain the confidentiality of information noted above, including third party vendors and to individual's customers concerning their confidential energy usage data.

In accordance with §69-02-09-02 of the North Dakota Administrative Code, one copy of the trade secret material is provided in the enclosed sealed envelope which is labeled **PROTECTED INFORMATION-PRIVATE**.

Respectfully submitted March 31, 2023

OTTER TAIL POWER COMPANY
BY

/s/ CARY STEPHENSON

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