

**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 Attachment 2 to the Otter Tail's September 23, 2024 filing which seeks the Commission's confirmation of certain aspects of the Commission's Investigation Report. The information set forth in Attachment 2 describes confidential, non-public information concerning a potential generation resource transaction and project, including parties, projected costs, in-service dates, and other key project details, the disclosure of which could be used for competitive advantage by competitors, developers, and vendors to the detriment of Otter Tail's customers. Moreover Otter Tail is contractually required to maintain the confidentiality of the potential transaction and its parties until such time as public disclosures are deemed necessary. Please note that Attachment 2 may contain certain data that standing alone may be in the public domain, but in the context of this filing would disclose the parties involved in this potential transaction and Otter Tail's potential development of generation resource.

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.

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**.

Dated: September 23, 2024

Respectfully submitted,

OTTER TAIL POWER COMPANY

By: /s/ CARY STEPHENSON

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