

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Power Company
2022 Renewable Resource Cost Recovery Adj. Factor
Rates

Case No. PU-22-19

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **28th day of July 2022** she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

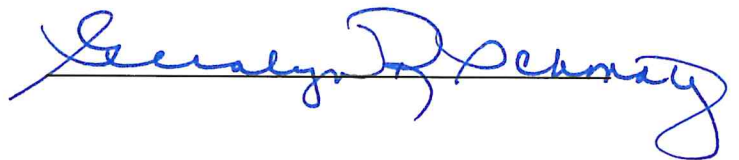
- **Order on Protection of Information**

The envelope was addressed as follows:

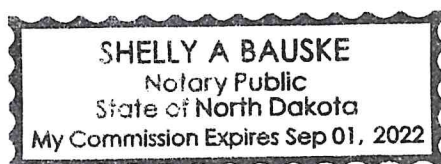
Cary Stephenson
Associate General Counsel
Otter Tail Power Company
PO Box 496
Fergus Falls, MN 56538-0496
Cert. No. 7020 1290 0001 6150 6251

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **28th day of July 2022**.



SEAL



Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Power Company
2022 Renewable Resource Cost Recovery Adj. Factor
Rates

Case No. PU-22-019

ORDER ON PROTECTION OF INFORMATION

July 27, 2022

Preliminary Statement

On January 5, 2022, Otter Tail Power Company (Otter Tail or Company) filed an Application for Protection of Information to protect certain information in the captioned case.

Discussion

The purpose of the requested protective order is to protect against public disclosure of trade secret or proprietary information, as defined by North Dakota Century Code §§ 47-25.1-01(4) and 44-04-18.4. Otter Tail seeks trade secret protection for the economic analysis listed for Otter Tail's proposed buy-out of the Ashtabula III Wind Facility.

The information marked as Protected Data is derived from and reflects non-public pricing and payment information under a Purchased Power Agreement (PPA) between Otter Tail and Ashtabula III, LLC. Under the terms of the PPA Otter Tail is obligated to maintain the confidentiality of this information. This information has not been previously publicly disclosed. This information has been the subject of efforts that are reasonable under the circumstances to maintain its secrecy, including internal Otter Tail safeguards and appropriate efforts to seek protection from public disclosure in regulatory filings. This information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use. In particular, the continued confidentiality of negotiated PPA pricing and payment information helps Otter Tail and its customers by maintaining a level playing field with vendors, suppliers and competitors who may find such information useful in formulating quotes or positions involving Otter Tail. The public disclosure of this information may provide vendors, suppliers, and competitors economic advantages to the detriment of Otter Tail's customers.

Staff reviewed the request of Otter Tail for protection of information. Staff believes that the application satisfies the requirements of the law, which allows the Commission to limit access to and release of the information.

Having reviewed the Application and Staff response, the Commission concludes that it is in the public interest to limit access to the information according to Staff's recommendations.

Order

The Commission orders:

1. The specified information be withheld from public disclosure and the Public Service Commission website.
2. That availability to the specified information be limited to the administrative law judge, the Commission, counsel, and siting analysts assigned to the captioned case.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Sheri Haugen-Hoffart
Commissioner