

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Otter Tail Power Company  
Cogeneration – Small Power Production  
Rates

Case No. PU-22-62

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 **5th day of May 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:

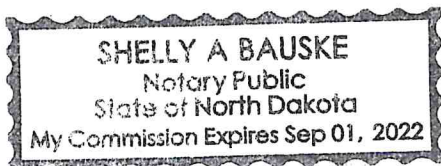
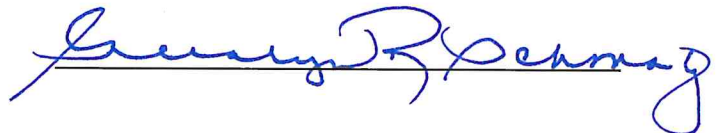
- **Order on Protection of Information**

The envelope was addressed as follows:

Cary Stephenson  
Associate General Counsel  
Otter Tail Power Company  
215 S Cascade Street  
Fergus Falls, MN 56538-0496  
**Cert. No. 7021 2720 0001 0491 8860**

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

Subscribed and sworn to before me  
this **5th day of May 2022**.



SEAL



Notary Public

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

**Otter Tail Power Company**  
**Cogeneration - Small Power Production**  
**Rates**

**Case No. PU-22-062**

**ORDER ON PROTECTION OF INFORMATION**

On January 31, 2022, Otter Tail Power Company (Otter Tail or Company) filed an Application for Protection of Information to protect certain information in the captioned case.

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.

The specific information for which Otter Tail seeks trade secret protection is a portion of Attachment 3 that sets forth specific 2021 wind and solar renewable energy credits pricing and sales. This information is used to determine a weighted average price per MWh, which itself is not protected information. Also, Otter Tail seeks protection for Attachment 4 that contains a proprietary third-party intellectual property. This information is used to compute Annual Customer related marginal costs.

Vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information which could be a detriment to Otter Tail and the Customers they serve. The information could be used by vendors and competitors in competing for project procurement opportunities and to leverage rate positions in the marketplace.

The confidentiality of this information has been maintained by Otter Tail. 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.

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**

  
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Randy Christmann      Julie Fedorchak      Sheri Haugen-Hoffart  
Commissioner              Chair              Commissioner