

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Northern States Power Company
Border Winds Energy Project – Rolette County
Siting Application

Case No. PU-22-173

ORDER ON PROTECTION OF INFORMATION

July 27, 2022

Preliminary Statement

On April 1, 2022, Northern States Power Company (NSP) filed an Application for Protection of Information to protect certain information in the captioned case.

Staff reviewed the request of NSP for protection of information.

Discussion

The information marked as Protected Data is cultural resource location information contained in Section 4.0 and Exhibits 1-2 of the Class I Cultural Resource Literature Review and in Table 5-3 of the Class III Intensive Cultural Resources Inventory: Supplemental 2013 Investigations in Appendix C to the Environmental and Regulatory Compliance Memorandum (Exhibit A to the Certification of Christopher Clark filed on March 31, 2022) (“Repower Filing”), along with associated GIS data.

North Dakota Century Code (N.D.C.C.) 49-22-26 allows the Commission to limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.

The confidentiality of this information has been maintained by NSP. 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.

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.”

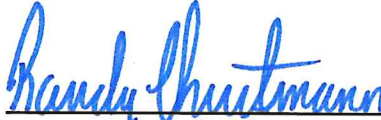
Staff believes that the application satisfies the requirements of the law, which allows the Commission to grant protection of information in this proceeding.

The Commission concludes NSP’s application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

Order

The Commission orders the April 1, 2022, application of Northern States Power, for protection of information is GRANTED.

PUBLIC SERVICE COMMISSION



**Randy Christmann
Commissioner**



**Julie Fedorchak
Chair**



**Sheri Haugen-Hoffart
Commissioner**