

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

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

Case No. PU-22-173

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:

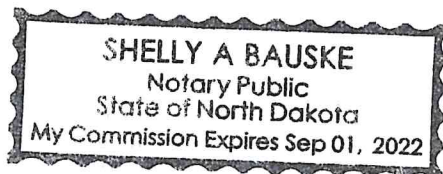
- **Order on Protection of Information**

The envelope was addressed as follows:

Mollie Smith  
Fredrikson & Byron, P. A.  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402-1425  
**Cert. No. 7020 1290 0001 6150 6244**

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

Subscribed and sworn to before me  
this **28<sup>th</sup> day of July 2022**.



SEAL

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

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**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