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May 20, 2022

**–Via Electronic Mail and U.S. Mail or UPS–**

Steven M. Kahl, Executive Director  
North Dakota Public Service Commission  
State Capitol Building, Dept 408  
600 East Boulevard  
Bismarck, ND 59505-0480

RE: APPLICATION FOR TRADE SECRET PROTECTION – 2021 REPORT OF  
REGULATED EARNINGS FOR NORTH DAKOTA ELECTRIC OPERATIONS  
(CASE NO. PU-22-183)

Dear Mr. Kahl:

Northern States Power Company, doing business as Xcel Energy, respectfully submits the enclosed original and three copies of the Application for Trade Secret Protection for the above referenced case in accordance with Section 69-02-09-02 of the North Dakota Administrative Code.

The purpose of the requested protective order is to protect against public disclosure of trade secret, personnel, and other commercially sensitive information that may be provided to the Commission, its staff, or staff consultants via data request responses, pre-filed testimony, testimony at a hearing, or as may be required in any settlement discussion or as otherwise would need to be provided in the course of the case.

An electronic copy of this filing is also being sent to you for your convenience.

Please contact me if you have any questions regarding this Application.

Sincerely,

A handwritten signature in blue ink that reads 'David H. Sederquist'.

DAVID H. SEDERQUIST  
SR. CONSULTANT, REGULATION & FINANCE

Enclosure

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

NORTHERN STATES POWER COMPANY 2021  
REPORT OF REGULATED EARNINGS FOR  
NORTH DAKOTA ELECTRIC OPERATIONS

CASE No. PU-22-183

**APPLICATION FOR TRADE SECRET PROTECTION**

Northern States Power Company (Xcel Energy or the Company) respectfully requests the North Dakota Public Service Commission (Commission) enter a trade secret protective order in the above-referenced Case pursuant to Chapter 69-02-09 of the North Dakota Administrative Code. The purpose of the requested protective order is to protect trade secret and commercial information as defined by N.D.C.C. § 44-04-18.4 from public disclosure pursuant to N.D.C.C. § 44-04-18 *et seq.* or any other applicable disclosure laws.

In accordance with Section 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**.

**1. A general description of the nature of the information sought to be protected.**

The information for which the Company seeks protection includes Company price data and IHN Markit data. We have marked this information as trade secret in Data Request No. 1-15.

The Company states that this information is commercial information, under N.D.C.C. § 44-04-18.4(2)(a), because it is “information pertaining to buying and selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed . . . would cause substantial competitive injury to the person from which the information was obtained,” as provided in N.D.C.C. § 44-04-18.4(2)(a).

The Company further states that the cost information is trade secret, under N.D.C.C. § 44-04-18.4(2)(d) and § 47-25.1-01(4), because it is information that “(1) [d]erives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons that can obtain

economic value from its disclosure or use; and (2) [i]s the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information.”

- 2. An explanation of why the information derives independent economic value, actual or potential, from not being generally known to other persons.**

The information could have economic value to other entities that enter into business transactions with the Company. Disclosure could be harmful for the Company’s customers in North Dakota.

- 3. An explanation of why the information is not readily ascertainable by proper means by other persons.**

The confidentiality of this information has been maintained by Xcel Energy. 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 Company’s proposal, or to third persons pursuant to nondisclosure agreements to maintain the confidentiality of the information.

The Company has requested that this information be treated as trade secret in all of its regulatory filings and other instances of sharing of this information with governmental entities.

- 4. A general description of known competitors and competitors’ goods and services that are pertinent to the tariff or rate filing.**

Other entities with which Xcel Energy enters into business transactions, could obtain economic value from disclosure of this information.

- 5. A specific description of known competitors and competitors’ goods and services that are pertinent to the tariff or rate filing.**

See response to No. 4 above.

- 6. A description of the efforts used to maintain the secrecy of the information.**

See response to No. 3 above.

Respectfully submitted this 20th day of May 2022.

Northern States Power Company,

/s/

By: David H. Sederquist  
Sr. Consultant, Regulatory & Finance