



UTILITIES CO.

A Subsidiary of MDU Resources Group, Inc.

400 North Fourth Street
Bismarck, ND 58501
701-222-7900

November 23, 2022

Executive Secretary
North Dakota Public Service Commission
State Capitol Building
Bismarck, ND 58505-0480

Re: Montana-Dakota Utilities Co.
2022 Application for Increase in
Electric Rates
Case No. PU-22-194
OAH File No. 20220225

Montana-Dakota Utilities Co. (Montana-Dakota) herewith electronically submits its Revised Application for Trade Secret Protection for confidential treatment of certain information being provided in response to data requests in Case No. PU-22-194.

Montana-Dakota respectfully requests this electronic filing be accepted as being in full compliance with the filing requirements of this Commission.

Please contact me at 701.222.7855 or travis.jacobson@mdu.com with any questions.

Sincerely,

/s/ Travis R. Jacobson

Travis R. Jacobson
Director of Regulatory Affairs

Attachment
cc: A. Waldon

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

In the Matter of MONTANA-DAKOTA)
UTILITIES CO. 2022 Application for) Case No. PU-22-194
Increase in Electric Rates) OAH File No. 20220225

REVISED APPLICATION FOR TRADE SECRET PROTECTION

Pursuant to N.D. Admin. Code § 69-02-09-01, Montana-Dakota Utilities Co. (Montana-Dakota) respectfully requests that the Administrative Law Judge (ALJ) issue a protective order under N.D. Admin. Code § 69-02-09-04 and N.D.C.C. § 44-04-18.4(1). The purpose of the requested protective order is to protect against public disclosure of confidential proprietary and trade secret information, as defined by N.D.C.C § 44-04-18.4(2)(c)(5) and N.D.C.C § 44-04-18.4(2)(d).

I.

The Commission Staff served Montana-Dakota with a discovery request in the present case seeking information the Company believes constitutes confidential proprietary and trade secret information. The Company request protection for Data Request 5.2.c, as it requestes technical and financial information received by Montana-Dakota from an independent third-party, which owns and controls the information. This information has independent economic value because it is not readily available in the public domain and cannot be ascertained by proper means by other persons. The confidential information is considered trade secret, as it would provide an economic advantage to competitors and other businesses who receive the confidential information. The independent third-party has deemed the calculations continaed herein as their proprietary work product. Further, Montana-Dakota would be prejudiced if the confidential information was disclosed, as it would likely lose access to this important financial information in the future.

II.

Montana-Dakota requests an Order protecting the information necessary to response to Data Request 5.3.c included herein and subsequent submittals of a similar nature.

III.

In accordance with N.D. Admin. Code § 69-02-09-02, one copy of the trade secret material is provided via secure electronic mail delivery which indicates “PROTECTED INFORMATION – PRIVATE”.

Dated this 23rd day of November 2022.

MONTANA-DAKOTA UTILITIES CO.



Travis R. Jacobson
Director of Regulatory Affairs

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

In the Matter of MONTANA-DAKOTA)
UTILITIES CO. 2022 Application for) Case No. PU-22-194
Increase in Electric Rates) OAH File No. 20220225

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)
) : ss.
COUNTY OF BURLEIGH)

The undersigned, being duly sworn, deposes and says that: I am a United States citizen, over 18 years of age, and on November 23, 2022, I served a copy of the attached:

Application for Trade Secret Protection

By electronically serving a copy addressed to each person named below, at the electronic mailing addresses stated below:

Executive Secretary
Public Service Commission
600 East Boulevard Avenue, Dept. 480
Bismarck, ND 58505-0480
ndpsc@nd.gov

ALJ Hope L. Hogan
Administrative Law Judge
2911 North 14th Street, Suite 303
Bismarck, ND 58503
oah@nd.gov

Allison Waldon
Allison.Waldon@mduresources.com

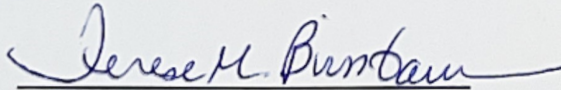
Paul Sanderson
psanderson@esattorneys.com

Dated this 23rd day of November 2022.



Travis Jacobson
Montana-Dakota Utilities Co.
Director of Regulatory Affairs
Travis.Jacobson@mdu.com

Subscribed and sworn to before me this 23rd day of November 2022.



Terese M. Birnbaum, Notary Public
State of North Dakota
My Commission Expires: 12/30/2023

