

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
Applied Block Chain Office – Dickey County
Applied Block Chain Data Processing Extension
Public Convenience & Necessity

Case Nos. PU-22-366, PU-22-370
OAH File Nos. 20220353, 20220354

ORDER ON APPLICATION FOR TRADE SECRET PROTECTION
December 27, 2022

Preliminary Statement

[1] On December 19, 2022, Montana-Dakota Utilities Co. (MDU) filed an Application for Trade Secret Protection to protect against public disclosure of confidential commercial and financial information.

Discussion

[2] The information MDU seeks to protect is portions of Hearing Exhibits MDU-7 - Electric Service Agreement between MDU and Applied Digital Corporation (Applied), MDU-12 – revenue estimate for Applied data center, and MDU-15 – rate comparison between MDU rates and Dakota Valley Electric Cooperative rates. The information has been marked as “PROTECTED INFORMATION – PRIVATE.”

[3] The application further states that the information would cause a substantial competitive injury to MDU and provide an economic advantage to its competitors and other businesses who receive the confidential commercial and financial information. The application further states that Applied would suffer substantial competitive injury if the confidential commercial information was provided to other clients and could substantially impair future business opportunities.

[4] The confidentiality of this information has been maintained by MDU and Applied. The information has not been 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.

[6] 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.”

[7] Staff believes that the application satisfies the requirements of the law, which allows the Commission to grant protection of information in this proceeding. Dakota Valley Electric Cooperative, Inc. has no objection to the motion.

[8] MDU’s application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

IT IS HEREBY ORDERED:

[9] The December 19, 2022 application of Montana-Dakota Utilities Co. for protection of information is **GRANTED**.

Dated at Bismarck, North Dakota, this 27 day of December 2022.

State of North Dakota
Public Service Commission

By: 

Hope L. Hogan
Administrative Law Judge
Office of Administrative Hearings
2911 North 14th Street - Suite 303
Bismarck, North Dakota 58503
Telephone: (701) 328-3200

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CERTIFICATE OF SERVICE

The undersigned certifies that the original of the **ORDER ON PROTECTION OF INFORMATION** were sent by electronic mail and mailed, inside mail, at the State Capitol, on the 27 day of December 2022, to:

John Hamre
Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480
jghamre@nd.gov

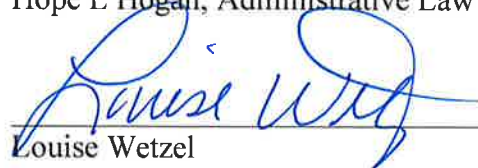
John Schuh
General Counsel
Public Service Commission
600 E Boulevard Avenue, Dept 408
Bismarck, ND 58505-0480
jschuh@nd.gov

and that true and correct copies of the above document were sent by electronic mail and mailed, regular mail, on the 27 day of December 2022, to:

Paul Sanderson
Evenson Sanderson PC
1100 College Drive, Suite 5
Bismarck, ND 58501
psanderson@esattorneys.com

Kimberly Radermacher
Radermacher Law Firm, P.C.
P.O. Box 103
Edgeley, ND 58433
kimrader@radermacherlaw.com

OFFICE OF ADMINISTRATIVE HEARINGS
Hope L Hogan, Administrative Law Judge


Louise Wetzel