

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Otter Tail Power Company
2023 Renewable Resource Cost Recovery Adj. Factor
Rates

Case No. PU-22-429

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

MAY 25, 2023

On January 25, 2023, Otter Tail Power Company (Otter Tail) filed an Application for Protection of Information to protect certain information in the captioned case.

The information that Otter Tail is requesting protection for is the tracker model used to calculate the Renewable Resource Cost Recovery Adjustment Factor provided to staff to aid in the analysis of Otter Tail's Application.


Otter Tail cites to N.D.C.C. § 44-04-18.4 but does not provide the specific subsection reference to identify why the information should be protected. Staff finds the information to be "proprietary information" as defined under N.D.C.C. § 44-04-18.4(2)(c)(5), which is technical, financial, or marketing records received by a public entity.

Otter Tail states that this information has not been made publicly available and is not easily ascertainable by ordinary means. Otter Tail further states that this information would cause competitive harm to their business if this information is not protected, by giving an advantage to competitors and vendors which could be detrimental to Otter Tail customers.

Staff has reviewed this information and finds that it meets the requirements for the protection of information set out in N.D.C.C. 44-04-18.4 and the requirements of the

commission found under N.D.A.C. 69-02-09-02. Staff recommends that the commission grant Otter Tail's Application for Protection of Information in the above captioned case.

Dated this 25th day of May 2023.

A handwritten signature in black ink, appearing to read "Brian Johnson", written over a horizontal line.

Brian Johnson
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