

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. PU-22-429

AFFIDAVIT OF SERVICE BY REGULAR 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 **30th day of May 2023**, she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope by first class mail, fully prepaid, securely sealed each containing a photocopy of:

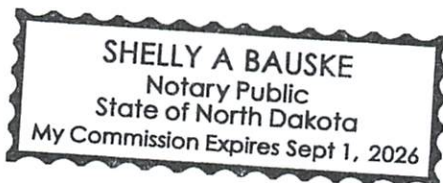
- **Staff Response to Application for Protection of Information**

The envelope was addressed as follows:

Cary Stephenson
Associate General Counsel
Otter Tail Power Company
215 S. Cascade Street
Fergus Falls, MN 56538-0496

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

Subscribed and sworn to before me
this **30th day of May 2023**.



SEAL



Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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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.



Brian Johnson
Special Assistant Attorney General Bar ID 07397
North Dakota Public Service Commission
600 East Boulevard Avenue Dept. 408
Bismarck ND, 58505
701-328-2407