

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

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

**Case No. PU-22-429**

**ORDER ON PROTECTION OF INFORMATION**

**AUGUST 16, 2023**

**PRELIMINARY STATEMENT**

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.

Staff reviewed and Issued a Staff Response to the Application for protection of information.

**DISCUSSION**

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 sub section 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.

For the reasons stated above, staff recommends that the Commission grant Otter Tail's Application for Protection of Information in the above captioned case.

**Order**

The Commission orders:

Otter Tail Power Company's Application for Protection of Information is granted.

**PUBLIC SERVICE COMMISSION**

*Sheri Haugen-Hoffart*

**Sheri Haugen-Hoffart  
Commissioner**

*Randy Christmann*

**Randy Christmann  
Chair**

*Julie Fedorchak*

**Julie Fedorchak  
Commissioner**