

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Otter Tail Power Company  
Small Power Production / Cogeneration  
Rates

Case No. PU-23-43

**AFFIDAVIT OF SERVICE BY CERTIFIED AND ELECTRONIC MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Amy Haugen** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of August 2023** she deposited in the United States Mail at Bismarck, North Dakota **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order on Protection of Information**

The envelope was addressed as follows:

Cary Stephenson  
Associate General Counsel  
Otter Tail Power Company  
PO Box 496  
Fergus Falls MN 56538-0496  
**Cert. No. 7020 1290 0001 6150 9535**

**Amy Haugen** further deposes and says that on the **17th day of August 2023**, she sent an electronic message to one addressee, each including an electronic copy in portable document format of the same document.

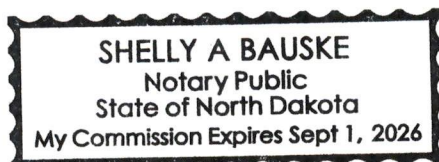
The electronic mail was addressed as follows:

Regulatory Filing Coordinators  
Otter Tail Power Company  
[Regulatory\\_Filing\\_Coordinators@otpc.com](mailto:Regulatory_Filing_Coordinators@otpc.com)

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

Subscribed and sworn to before me  
this **17th day of August 2023**.

SEAL



*Amy Haugen*  
\_\_\_\_\_

*Shelly A Bauske*  
\_\_\_\_\_  
Notary Public

**STATE OF NORTH DAKOTA**  
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**Case No. PU-23-43**

**ORDER ON PROTECTION OF INFORMATION**

**AUGUST 16, 2023**

**PRELIMINARY STATEMENT**

On January 30, 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 specific information for which Otter Tail seeks trade secret protection is a portion of Attachment 3 that sets forth specific 2023 wind and solar renewable energy credits pricing and sales, as well as a portion of Attachment 4 that contains the information which is considered to be a "compilation" of data that (1) was supplied by Otter Tail, (2) is the subject of reasonable efforts by Otter Tail to maintain its secrecy, and (3) derives independent economic value, actual or potential, from not being generally known to or accessible to the public. This information is used to compute annual customer-related marginal costs.

Otter Tail asserts this information has not been made publicly available and is not readily ascertainable by proper means.

Otter Tail states that vendors and competitors would have an opportunity to obtain economic value from disclosure or use of the information to the detriment of Otter Tail and the customers they serve. If publicly available, vendors could use the information to their advantage in competing for project procurement opportunities, while competitors could use the information to leverage their rate positions in the marketplace to Otter Tail's detriment.

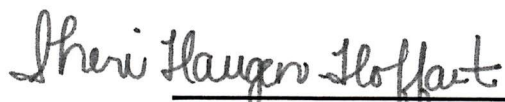
Based on the information provided above, staff believes the information to be proprietary information under N.D.C.C. § 44-04-18.4(2)(c)(5), and that the Commission should grant Otter Tail Power Company's application in the above captioned case.

**Order**

The Commission orders:

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

**PUBLIC SERVICE COMMISSION**



**Sheri Haugen-Hoffart**  
**Commissioner**



**Randy Christmann**  
**Chair**



**Julie Fedorchak**  
**Commissioner**