

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Northern States Power Company
Advance Prudence – Monticello Nuclear Extension
Application**

**Case No. PU-23-64
OAH File No. 20230081**

ORDER ON PROTECTION OF INFORMATION

May 31, 2023

Preliminary Statement

[1] On February 3, 2023, Northern States Power Company (NSP) filed an Application for Protection of Information to protect certain information in the captioned case.

[2] On May 25, 2023, staff reviewed the request of NSP for protection of information.

Discussion

[3] The information NSP seeks to protect includes actual and projected cost and pricing information provided in the assumptions underlying the Company’s modeling for its Integrated Resource Plan.

[4] Such information has been marked as PROTECTED INFORMATION - PRIVATE in NSP's pre-filed information and may arise or be discussed in the hearing in this matter.

[5] The application further states that the information could have economic value to potential vendors, contractors, and suppliers who may desire to bid for power purchase agreement (PPA), repowerings, or other generation resources to NSP in the future. Potential suppliers would know NSP’s levelized cost of energy for certain existing resources, as well as what NSP has paid under existing PPAs. Knowledge of NSP’s costs and PPA pricing could allow bidders to potentially determine a floor below which no bidder would submit a price which could be harmful for NSP’s customers now and in the future.

[6] The confidentiality of this information has been maintained by NSP. The information is not 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.

[7] NSP has requested that this, and similar types of information, be treated as trade secret in all of NSP's regulatory filings and other instances of sharing of this information with governmental entities.

[8] 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."

[9] Staff believes that the application satisfies the requirements of the law which allows the Commission to grant protection of information in this proceeding.

[10] The NSP 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:

[11] The February 3, 2023 application of Northern States Power Company for protection of information is **GRANTED**.

Dated at Bismarck, North Dakota, this 31 day of May 2023.

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
OAH File No. 20230081

The undersigned certifies that the original of the **ORDER ON PROTECTION OF INFORMATION** was mailed, inside mail, at the State Capitol, on the 31 day of May 2023, to:

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

John Schuh
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Brian Johnson
Special Assistant Attorney General
Public Service Commission
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Bismarck, ND 58505

and that true and correct copies of the above document were mailed, regular mail, on the 31 day of May 2023, to:

Zev Simpser
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-1498

OFFICE OF ADMINISTRATIVE HEARINGS
Hope L. Hogan, Administrative Law Judge



Louise Wetzel