

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

**In the Matter of Otter Tail Power Company  
Advance Prudence Application– Astoria Station  
Onsite Fuel Inventory System**

**Case No. PU-23-006**  
**OAH FILE NO. 202300080**

**APPLICATION FOR TRADE SECRET PROTECTION**

Pursuant to N.D. Admin. Code §§ 69-02-09-01 and 69-02-09-04, Otter Tail Power Company (Otter Tail) respectfully requests that the Commission issue a trade secret protective order in the above-referenced case. The purpose of the requested protective order is to protect against public disclosure of trade secret or proprietary information, as defined by N.D. Cent. Code §§ 47-25.1-01(4) and 44-04-18.4.

Otter Tail seeks trade secret protection information set forth in the Rebuttal Testimony of Otter Tail witness Ryan Retzlaff. This material is marked in Mr. Retzlaff’s Rebuttal Testimony as PROTECTED DATA. It concerns MISO pricing and Astoria Station generation during Winter Storm Elliot. This information has been marked as TRADE SECRET or PROTECTED in Mr. Retzlaff’s Rebuttal Testimony.

The above-referenced information is not publicly available, is confidential business information, and with respect to MISO LMP pricing data it is information Otter Tail is obligated to hold confidential and not disclose to the public. The confidentiality of this information has been maintained by Otter Tail. The information, therefore, is not readily ascertainable by proper means by other persons.

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 we 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.

In accordance with N.D. Admin. Code § 69-02-09-02, one copy of the trade secret material is provided in the enclosed sealed envelope labeled PROTECTED INFORMATION – PRIVATE.

In addition, the Company requests that the trade secret protective order be broad enough to cover all additional information exchanged in the course of this proceeding and qualifying for trade secret protection.

Respectfully submitted this 16<sup>th</sup> day of October 2023.

OTTER TAIL POWER COMPANY

By /s/ Cary Stephenson  
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