

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Northern States Power Company
Advance Prudence – Brookings Second Circuit Project
Application**

Case No. PU-23-295

AFFIDAVIT OF SERVICE BY REGULAR AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Erica J. Getz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **10th day of January 2024**, she deposited in the United States Mail at Bismarck, North Dakota, **two** envelopes by first class mail, fully prepaid, securely sealed each containing a photocopy of:

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

The envelopes were addressed as follows:

Zev Simpson
Dorsey & Whitney LLP
50 S 6th St Ste 1500
Minneapolis MN 55402-1498

Christine Schwartz
Records Administrator
Xcel Energy
414 Nicollet Mall 401 – 7th Fl
Minneapolis MN 55401

Erica J. Getz further deposes and says that on the **10th day of January 2024**, she sent an electronic message to **three** addressees, each including an electronic copy in portable document format of the same document.

The electronic mail was addressed as follows:



Regulatory Records
Xcel Energy
regulatory.records@xcelenergy.com

Alex Nisbet
Northern States Power Company
alex.j.nisbet@xcelenergy.com

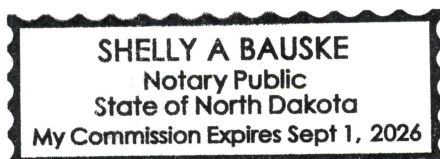
Timothy J. Dawson
Office of Administrative Hearings
OAH File No. 20230369
tjdawson@nd.gov

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

Subscribed and sworn to before me
this **10th day of January 2024**.



Notary Public

SEAL



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

JANUARY 10, 2024

On August 29, 2023, Northern States Power Company (Xcel Energy or the Company) filed an Application for Protection of Information to protect certain information in the captioned case.

The information for which the Company seeks protection is forecasted congestion charges for 2023 and 2024.

The Company states that this information is commercial information because it is “information pertaining to buying and selling of goods and services that has not been previously publicly disclosed and that if the information were to be disclosed . . . would cause substantial competitive injury to the person from which the information was obtained,” as provided in N.D.C.C. § 44-04-18.4(2)(a).

The Company further states that the historical and forecasted congestion-charge information is trade secret because it is information that “(1) [d]erives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons that can obtain economic value

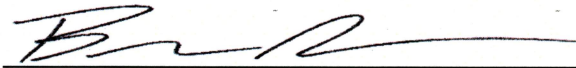
from its disclosure or use; and (2) [i]s the subject of efforts that are reasonable under the circumstances to maintain the secrecy of the information,” as provided in N.D.C.C. § 44-04-18.4(2)(d). The Company further states that the information sought to be protected meets the definition of “trade secret” set forth in N.D.C.C. § 47-25.1-01(4).

The information described above, if disclosed, could have economic value to potential competitors, vendors, contractors, and suppliers who could use it to gain a competitive advantage over the Company in the future. The information could reveal how Xcel Energy models its future congestion charges. The Company’s modeling has economic value to Xcel Energy, its customers, suppliers, and competitors. Providing counterparties with Xcel Energy’s forecasts could also impact market costs of congestion management strategies. Additionally, knowing the congestion charges the Company expects to incur could increase the price and affect the terms suppliers bid because they know the scope of the congestion charges that could be relieved by their supply. Such a result could be harmful for the Company’s customers, now and in the future.

The confidentiality of the information described above has been maintained by Xcel Energy. 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 Company’s proposal, or to third persons pursuant to nondisclosure agreements to maintain the confidentiality of the information.

Staff has reviewed the information the Company requests be treated as confidential information and believes that it complies with North Dakota Century Code and North Dakota Administrative Code and is generally the type of information that is granted protection.

Dated this 10th day of January 2024.

A handwritten signature in black ink, appearing to read "Brian Johnson", written over a horizontal line.

Brian Johnson
Special Assistant Attorney General Bar ID 07937
North Dakota Public Service Commission
600 East Boulevard Avenue Dept. 408
Bismarck, ND 58505
701-328-2407